OVERSIGHT OF AIRPORT AND AIRLINE SECURITY PROGRAMS

(99-21)

HEARING

BEFORE THE

SUBCOMMITTEE ON AVIATION

OF THE

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

FIRST SESSION

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OVERSIGHT OF AIRPORT AND AIRLINE SECURITY PROGRAMS

THURSDAY, JULY 11, 1985

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AVIATION,
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2253, Rayburn House Office Building, Hon. Norman Y. Mineta (chairman of the subcommittee) presiding.

Mr. MINETA. The subcommittee will come to order.

Today, we are conducting hearings to oversee airport and airline security programs. The recent spate of hijacking and sabotage directed against the international aviation system has raised questions in the minds of the public, the airlines, and the airports, as well as in the professional security establishment as to the adequacy of the system's security against those threats. Recent initiatives by the airline industry and the U.S. Government, as well as some foreign governments, indicate that they certainly believe more can and needs to be done.

In today's hearings, we have pulled together some of the top experts in the aviation security field in an attempt to access what was being done prior to the events of recent weeks, what is being done now or will be done very soon, and what can be expected further down the road.

The question in the forefront of my mind of all of this, do the assumptions we make about security threats and upon which we base our system continue to be valid?

It is my understanding that the Federal Aviation Administration has amended the standard security program in the U.S. airlines' operating certificates. Also, a special aviation regulation is imminent regarding security training, and I would like to hear from today's witnesses as to the impact of these actions and the assumptions about security threats upon which these new measures are being based.

And of course, we want to hear whether these measures are themselves adequate, or whether we need to do more or direct our resources toward different areas.

Today's hearing format will be somewhat unusual for this subcommittee. Since my becoming chairman, the Subcommittee on Aviation has conducted its meetings totally open to the public, the press, and to anyone wishing to testify or to just listen in. Today, however, given the subject matter, we will have to conduct some of

our hearing in closed, executive session. It is my belief that Government makes its best policy when it does so openly in full public view.

However, there are times when making some matters public could result in jeopardy to the public safety, so after other members' opening statements, I will be asking for a motion and a vote to go into executive session, so that we can discuss some of the more technical procedures that are associated with aviation security.

When we conclude that session, we will then resume in our normal, open fashion to receive testimony on more general policy issues that are associated with aviation security.

I now yield to my distinguished colleague from Arkansas, Mr. Hammerschmidt.

Mr. HAMMERSCHMIDT. Mr. Chairman, you have given a succinct and cogent statement of the subject matter today, so I am going to forego an opening statement and ask unanimous consent that I be allowed to put one in the record at this point.

Because of the time constraints and especially the closed session, I think that we should move forward, and if there are no other opening statements, I have a motion, Mr. Chairman.

[The statements of Mr. Hammerschmidt and Mr. Snyder follow:]

Statement of Honorable John Paul Hammerschmidt

MR. CHAIRMAN:

WE HAVE ALL BEEN DEEPLY DISTURBED BY THE RECENT SURGE IN TERRORIST ACTS INVOLVING AIRLINES AND AIRPORTS. BOMBS HAVE EXPLODED AT THE FRANKFURT AND AT A JAPANESE AIRPORT. A BOMB IS SUSPECTED AS THE CAUSE OF THE CRASH OF THE AIR-INDIA JET. AND, OF COURSE, THERE WAS THE HIJACKING OF THE TWA FLIGHT TO BEIRUT. CONSIDERING THE NUMBER OF AIRPORTS AND AIRLINE FLIGHTS THROUGHOUT THE WORLD, THE CHANCE OF ONE BEING A VICTIM OF A TERRORIST ACT IS SMALL. NEVERTHELESS, PEOPLE ARE JUSTIFIABLY CONCERNED.

THEREFORE, I WAS PLEASED THAT THIS SUBCOMMITTEE TOOK THE LEAD IN OUR GOVERNMENT'S EFFORT TO COMBAT TERRORISM BY QUICKLY BRINGING H.R. 2796, THE "FOREIGN AIR TRAVEL SECURITY ACT OF 1985" TO THE HOUSE FLOOR. THAT BILL PASSED THE HOUSE WITHOUT DISSENT.

THE PASSAGE OF H.R. 2796, HOWEVER, SHOULD NOT END OUR CONSIDERATION OF THIS IMPORTANT MATTER. THAT BILL MERELY REQUIRES AIRPORTS TO MEET THE SECURITY STANDARDS THAT NOW EXIST. IT SAYS NOTHING ABOUT HOW THOSE STANDARDS COULD BE IMPROVED. THAT'S WHY THIS HEARING IS SO IMPORTANT.

IN THIS HEARING, WE HOPE TO LEARN EXACTLY WHAT IS NOW BEING DONE TO KEEP BOMBS AND HIJACKERS OFF OUR AIRCRAFT. MORE IMPORTANTLY, WE NEED TO KNOW WHAT CHANGES ARE NEEDED TO IMPROVE THE SITUATION, AND WHETHER THESE CHANGES ARE TECHNICALLY FEASIBLE.

SEVERAL IMPROVEMENTS HAVE BEEN SUGGESTED RECENTLY. THESE INCLUDE THE EXPANDED USE OF SKY-MARSHALS, AND X-RAYS OR PHYSICAL SEARCHES OF ALL BAGGAGE, INCLUDING CHECKED BAGGAGE.

OF COURSE, THESE BAGGAGE SEARCHES COULD RESULT IN DELAYS IN BOARDING AND IN LOADING LUGGAGE ON AIRCRAFT. BUT IN LIGHT OF RECENT EVENTS, I SUSPECT THAT MOST PEOPLE WOULD BE WILLING TO PUT UP WITH THAT SORT OF INCONVENIENCE IF IT WOULD ENSURE A SAFER TRIP.

EVEN IF SECURITY IMPROVEMENTS ARE NEEDED, ARE POSSIBLE, AND ARE ACCEPTABLE TO PASSENGERS, THERE IS A NEED FOR FURTHER INQUIRY INTO HOW THOSE IMPROVEMENTS SHOULD BE ACHIEVED. SHOULD WE USE BILATERAL AIR TRANSPORT AGREEMENTS TO TRY TO GET OTHER NATIONS TO COOPERATE IN IMPLEMENTING THESE IMPROVEMENTS? OR SHOULD WE WORK THROUGH THE INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA) AND THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) TO ACHIEVE THE GOAL OF IMPROVED AIRPORT AND AIRCRAFT SECURITY.

I LOOK FORWARD TO THE TESTIMONY OF OUR WITNESSES AND EXPECT THAT THEY WILL SHED SOME LIGHT ON THESE IMPORTANT ISSUES.

Statement of Honorable Gene Snyder

MR. CHAIRMAN:

TODAY'S HEARING IS AMONG THE MOST IMPORTANT THAT THIS SUBCOMMITTEE WILL HOLD THIS CONGRESS. IN VIEW OF THE RECENT TERRORIST ATTACKS ON AIR TRANSPORTATION AROUND THE WORLD, THE ADMINISTRATION, THE CONGRESS, AND THE ENTIRE AVIATION COMMUNITY MUST TAKE STEPS TO ASSURE THE SAFETY OF THE TRAVELING PUBLIC BY INCREASING AIRPORT AND AIRCRAFT SECURITY. ALTHOUGH I REALIZE THAT TAKING ADDED SECURITY PRECAUTIONS MIGHT MEAN LONGER FLIGHT DELAYS AND CAUSE OTHER INCONVENIENCES TO PASSENGERS AND THE AIRLINES, I THINK THE VAST MAJORITY OF THE TRAVELING PUBLIC WOULD GLADLY ACCEPT THESE DELAYS IF THEY BELIEVED THEY WERE NECESSARY TO ENSURE THEIR WELL-BEING.

IN KEEPING WITH THE SENSITIVITY OF THIS SUBJECT WE HAVE DECIDED TO HOLD THIS HEARING IN TWO PHASES. FIRST WE WILL CONVENE IN A CLOSED SESSION WHERE WE WILL EXAMINE SECURITY PROCEDURES IN CONSIDERABLE DETAIL. THIS WILL BE FOLLOWED BY AN OPEN SESSION OF A MORE GENERAL NATURE. WHILE THIS IS AN UNUSUAL PROCEDURE FOR OUR COMMITTEE, OUR RULES CLEARLY GIVE US THE AUTHORITY TO CLOSE ANY HEARING IF DISCLOSURE OF THE EVIDENCE PRESENTED WOULD ENDANGER THE NATIONAL SECURITY. OBVIOUSLY, SUCH A SITUATION EXISTS HERE.

I APPRECIATE THE APPEARANCE OF OUR WITNESSES TODAY AND LOOK FORWARD TO A CANDID DISCUSSION ABOUT THE SECURITY PROCEDURES IN USE BOTH IN THE UNITED STATES AND ABROAD.

I AM MOST INTERESTED IN DISCUSSING THE STEPS WHICH HAVE BEEN TAKEN TO IMPROVE SECURITY IN THE WAKE OF THE MOST RECENT INCIDENTS, AND WHAT IMPROVEMENTS MIGHT BE MADE IN THE FUTURE TO MINIMIZE THE LIKELIHOOD THAT TERRORISTS WILL CONTINUE TO EXPLOIT COMMERCIAL AIR TRANSPORTATION TO ADVANCE THEIR CAUSES.

I KNOW ALL OF MY COLLEAGUES ARE OUTRAGED OVER THIS CONTINUING INTERNATIONAL PROBLEM AND MANY IDEAS HAVE BEEN OFFERED TO ASSIST THE PRESIDENT IN HIS EFFORTS TO PUT A STOP TO THIS MURDEROUS CONDUCT. ALL OF US KNOW THAT OUR BEST SOLUTIONS LIE IN THE COORDINATED ACTION OF THE WORLD COMMUNITY TO ISOLATE NATIONS INVOLVED IN TERRORISM AND TO ASSURE THAT THOSE WHO PERPETRATE THESE LAWLESS ACTS ARE BROUGHT TO JUSTICE. WHILE WE MUST PURSUE THESE OBJECTIVES, WE MUST ALSO TAKE STEPS TO ASSURE THAT THE BEST POSSIBLE SECURITY PROCEDURES ARE IN PLACE AND THAT OTHER COUNTRIES ARE NOT ALLOWED TO DISREGARD THESE PRUDENT MEASURES WITHOUT FACING SEVERE INTERNATIONAL SANCTIONS.

I WANT TO TAKE THIS OPPORTUNITY TO COMMEND MY COLLEAGUES ON THIS COMMITTEE FOR TAKING SWIFT ACTION BY PASSING LEGISLATION ADDRESSING SOME OF THESE IMPORTANT ISSUES. I THINK ALL WOULD AGREE THAT IT WAS A VERY CONSTRUCTIVE STEP AND IT IS MY HOPE THAT WE WILL FURTHER IMPROVE ON THIS LEGISLATION IN THE WEEKS AHEAD.

MR. CHAIRMAN, I LOOK FORWARD TO THE SUBCOMMITTEE'S DELIBERATIONS TODAY AND TO FUTURE MEETINGS ON THIS IMPORTANT SUBJECT.

Mr. MINETA. Mr. Hammerschmidt, please go ahead and make your motion.

Mr. HAMMERSCHMIDT. Pursuant to rule II(f) of the committee rules, I move that the next portion of this hearing be closed to the public on the grounds that disclosure of the testimony and other evidence to be presented at this portion of the hearing might endanger the national security.

Mr. MINETA. Any discussion on the motion before us?

All in favor of the motion signify by saying aye.

Those opposed signify by saying no.

And the motion is agreed to.

At this time, then, I will ask the room to be cleared, except for the witnesses and the members and committee staff, we will clear the room of the others at this point.

[Whereupon, at 10:05 a.m., the subcommittee proceeded in closed session.]

AFTERNOON SESSION

[Whereupon, at 2:45 p.m., pursuant to other business, the subcommittee resumed its hearing in room 2175, Rayburn House Office Building, Hon. Norman Y. Mineta (chairman of the subcommittee) presiding.]

Mr. MINETA. The subcommittee will please come to order.

We have a panel made up of Secretary Matthew Scocozza, Mr. Billie Vincent and Mr. Tony Broderick. Mr. Secretary, please go ahead and proceed in your own fashion at this point.

TESTIMONY OF HON. MATTHEW V. SCOCOZZA, ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS, DEPARTMENT OF TRANSPORTATION; BILLIE H. VINCENT, DIRECTOR OF CIVIL AVIATION SECURITY, FEDERAL AVIATION ADMINISTRATION; WARREN L. DEAN, ASSISTANT GENERAL COUNSEL FOR INTERNATIONAL LAW, DEPARTMENT OF TRANSPORTATION; AND ANTHONY BRODERICK, ASSOCIATE ADMINISTRATOR FOR AVIATION STANDARDS, FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Mr. SCOCOZZA. Thank you, Mr. Chairman. I have a very short statement. Also, I would like to introduce Mr. Warren Dean from the Office of General Counsel in the Department of Transportation.

I welcome the opportunity to appear before the subcommittee to discuss current aviation security programs and the legislative changes that the Department needs to strengthen those programs.

I would like to start off by saying that we believe that the air transportation security system developed by the United States is fundamentally sound and amply protects the American public.

Naturally, we continually refine the details of the system. As an example, we are currently working on some very promising research that would provide better detection of explosives, flammable materials, and weapons, for use in screening both passengers and baggage and cargo.

Recently, we recommended to the President that we commit additional resources to that research to expedite its completion.

In addition to our extensive domestic system, the Department of Transportation has an ongoing program to assess security at foreign airports. For this purpose, the FAA maintains 11 overseas offices.

We require that all airlines serving the United States meet basic security requirements, including a passenger screening system, and we conduct onsite inspections of those systems frequently.

However, we have no authority over foreign airports themselves. We cannot dictate to foreign governments the security standards they must observe on their soil, just as we would not permit them to dictate their policies to us, but we do work with other governments in a number of ways.

First, we work directly with a foreign government when we discover that the airport itself has some security deficiency, through our periodic inspections of carrier operations or through other means.

We have found most foreign governments cooperative and genuinely concerned for the safety of all passengers.

In addition, we work closely with the Department of State in its antiterrorist assistance program to provide training and technical assistance to other governments in their efforts to improve aviation security.

Finally, the Department works through various international organizations to encourage the establishment of an international consensus on civil aviation security standards and to monitor their worldwide observance.

In this regard, two international organizations are especially important. The first is the International Civil Aviation Organization, referred to as ICAO.

ICAO sets minimum civil aviation security standards and recommends practices to implement those standards. Those standards are, however, less specific than those prescribed by the FAA.

In an attempt to persuade ICAO to reexamine and strengthen its security standards, Secretary Dole addressed the ICAO Council on June 27, 1985. She asked ICAO to focus on the problem of terrorism against international air transportation, to review its security standards, to monitor more effectively the level of compliance with those standards, and to convene a special session to review its progress in improving international aviation security. The ICAO Council promptly extended that session for 2 weeks and is currently considering an ambitious work program reflecting in large measure the U.S. Government's recommendations. A special session will be held late in the summer.

Mr. Chairman, in the interest of the time for the committee and the lateness of the hour this afternoon, I would like permission to submit the rest of my statement, and any other statements for the FAA, for the transcript.

I am pleased to be available for any questions you or the other members would have.

Mr. MINETA. Mr. Secretary, that was to include the statement by Mr. Vincent?

Mr. SCOCOZZA. Right.

Mr. MINETA. Fine.

Following the recent hijackings and bombings, the DOT and the FAA have taken steps to improve the security at airports in the United States. However, the hijackings and the bombings which have recently occurred have been primarily at airports in foreign countries.

Have DOT and FAA concluded that there has been a recent change in the security threat at airports in the United States, and could you describe the nature of that changed threat at airports in the United States?

Mr. VINCENT. Mr. Chairman, thank you.

Our view of the current threat in the United States is that we enjoy a very comfortable level at this point; that is, our current security program in the United States is appropriate to that level.

We had a total of five air carrier hijackings this past year, which was the lowest since 1976, which is indicative, I believe, of the threat level existing in our country at this time.

We are very happy to say that we are comfortable with that, compared to what exists external to the United States.

Mr. MINETA. When you say "comfortable level," you are referring to what?

Mr. VINCENT. I am referring to previous years where we had a substantially greater number of hijackings, for instance, in 1983, and primarily the rest of the world at large, as compared to the United States.

We seem to enjoy, from a terrorism standpoint, as has been said by the Director of the FBI, a very low threat level from a terrorist standpoint, with a very low number of incidents this past year.

Mr. MINETA. Do you believe that the nature of the terrorist threat at airports in foreign countries has changed from where it was 5 years ago, or even 1 year ago?

Mr. VINCENT. Yes, sir, Mr. Chairman, I believe the facts of the incidents that have occurred, particularly in the past year, year and a half, would support a fairly substantial increase in threat level at least to U.S. interests in two major regions of the world, and that would be the European and the Middle Eastern environment.

Mr. MINETA. Under existing law, the U.S. Government has discretionary authority to take steps against foreign airports where there are security problems. Our Government has discretionary authority to issue travel advisories and take other steps to warn U.S. citizens of these kinds of dangerous conditions.

Now, our Government also has discretionary authority to prohibit service between the United States and a foreign airport with security problems, and so far as I am aware, the only time this discretionary authority has been exercised was at Athens, and that was after the TWA hijacking.

Can you explain why the United States has been unwilling to take even the minimal step of issuing a travel advisory for foreign airports with security problems? I suppose that should really be addressed to the State Department, and since their representative is not here right now, maybe I will withhold that until the State Department witnesses testify.

Before the State Department issues a travel advisory, at what point is the Department, or how is the Department of Transportation or FAA specifically involved in that process?

Mr. SCOCOZZA. We would participate with the Department of State, Mr. Chairman. Of course, the Department of State issues travel advisories on a number of different matters such as passenger congestion or inconvenience.

They would get that kind of information from the FAA which would provide it to the State Department in the process of State making a determination whether or not a travel advisory was appropriate, but the two Departments work hand in hand.

Mr. MINETA. As I recall, a survey had been made of specifically the Athens airport. As a result of that survey, had a recommendation been made to the State Department that a travel advisory be issued?

Mr. SCOCOZZA. No, there wasn't, Mr. Chairman. The U.S. Government was concerned about the passenger check-in and the carry-on baggage check-in. That kind of concern was taken care of by the redundant service initiated by TWA at the Athens airport. After the passengers passed through the carry-on baggage check-in, they had to go through a TWA system.

We felt the two systems together resolved the concerns we had with respect to passenger check-in, so it wasn't appropriate to consider a travel advisory under those circumstances. The working relationship was a very positive one through the process of consultations.

Mr. MINETA. What would you say has changed in the interim to say, "yes, we ought to go with the travel advisory, since we still have that redundant screening system in place?" What is it now?

Mr. SCOCOZZA. I would defer to the gentleman here from the FAA, but there was a positive interplay in the consultative process between the Government of Greece and the United States.

Mr. MINETA. Had that broken down?

Mr. SCOCOZZA. That did not pan out as we expected it to. A lot of the promises and indications of changes—reorganization, restructuring that would enhance security—did not pan out, and it led us to the conclusion that a travel advisory was in order.

Mr. MINETA. Did the disappointment that you had with them occur before the hijacking of TWA flight No. 847?

Mr. SCOCOZZA. I think our concern, Mr. Chairman, was that the hijacking of 847 led us to the conclusion that the Government of Greece was not going to move as fast as we wanted them to or expected them to in some of these areas, and the travel advisory, taken in connection with the whole situation at the airport, was in order.

Mr. VINCENT. I think Mr. Scocozza has very, very adequately explained the conditions following our consultation in February, and the events up to the time of the hijacking.

Mr. MINETA. As you are aware, the Foreign Air Travel Security Act of 1985, which is H.R. 2796, was passed by the House on June 19, and again yesterday, in a similar form. In that legislation, there exists a requirement that if after 120 days, a foreign airport does not implement measures to correct security deficiencies that had been pointed out to them by the FAA, then the Secretary of Trans-

portation is required to inform the U.S. traveling public through various procedures, including posting the names of those airports at all U.S. airports, and requiring that airlines inform ticket purchasers to that airport that has been listed by the Department of Transportation as security deficient.

In a letter that was dated yesterday, the Secretary of Transportation told me that the Department considers these procedures "counterproductive to international cooperation," and to be "rigid, unilateral actions," and said DOT does not support this procedure to notify the public.

Why does the Department believe that informing the American traveling public in this manner would be "counterproductive to international cooperation" against terrorism, and if you believe that, why doesn't the Federal Government's responsibility to ensure the safety of the traveling public by informing them of which airports are dangerous outweigh these so-called foreign policy considerations?

Mr. SCOCOZZA. One of our concerns, Congressman, is the publication of lists. We think they may be misused by the wrong people. We certainly don't want to publish what might be considered a road map for a terrorist or a road map for a potential hijacker to use.

With respect to any airport anywhere in the world for which we feel that a travel advisory would be in order, very similar to Athens, I don't think the committee and the administration, the Department of Transportation, would ever disagree.

We have an absolute responsibility to advise the traveling public, the press and the travel agency industry that a travel advisory has been put in place for all travel to and from the country of "Ruratania," a fictitious country.

I don't see a problem once we come to the conclusion that a travel advisory should be put in place. Our problem comes with publishing lists of airports that may be deficient for one reason or another, but the deficiencies do not in and of themselves merit a travel advisory.

The situation may be that in publishing a list, and the airport in the fictitious country of "Ruratania" is on that list, their government might take umbrage to the fact that we are passing judgment on them and stifle us in a consultative mechanism. We would rather work with the governments on a fast track to resolve the problems.

If the problems are of such magnitude that a travel advisory is metited, publication, and providing notice to the public, Congress and to the travel agency industry is the administration's responsibility. However, when we see items that we can take care of through a consultative mechanism, we think our success in consultations and negotiations might be jeopardized if we published a list that might be misread by someone not understanding what the list was supposed to do. A government might take umbrage and stall the negotiating process.

So I don't think we are disagreeing with notice to the traveling public in situations where certainly notice is merited.

Our concern is listing airports, or putting them in categories like we do with hotels, four-star, three-star hotel, two-star hotel, one-

star hotel. That gives us problems in a diplomatic arena, and it might be a disincentive.

Mr. MINETA. If we conduct a survey, and then we say to that foreign authority, here are the deficiencies in your airport. We give them 120 days to correct it, and they still have not done it, and that airport continues to be dangerous to a U.S. traveler, why shouldn't we inform the public?

The professional terrorist is going to know that. The only person kept in the dark are the passengers, and I see no reason for that. After all, we put on a cigarette package the fact that the Surgeon General says this is hazardous to your health.

Here, the Secretary of Transportation ought to say this airport is hazardous to your health.

Mr. SCOCOZZA. I will describe a hypothetical case. The country of "Ruratania" has poor passenger screening and carry-on baggage checking, and the airlines operating to and from that country decided that they would install redundant systems. The combination of the redundant systems plus the government's check-in give us a level of comfort that does not merit a travel advisory.

In the meanwhile, we are still consulting with an effort of getting the Government's sponsorship of the screening and the passenger check in to a point where the redundant systems can leave.

If we publish a travel advisory in that case, or list that airport in that case, the Government of "Ruratania" may say, you have already made your conclusions, so let your airlines keep providing that screening and we will save some money.

Mr. MINETA. My response would be there is nothing in the record to indicate that you would even do it, since you have not in the past, so what do I have to rely on from your past action that is going to say to me, yes, I think they might do it in the future?

I don't think it is there, and that is why I think it ought to be required, as it is, in this legislation.

Mr. SCOCOZZA. I understand, Congressman. If we determine that there are deficiencies, and they can't be resolved in any other fashion, and we feel that any continued transportation to and from our country to that country should only be done under the umbrella of a travel advisory, the committee and we are together.

Your concern is very real, because the travel advisory with respect to Athens is the first of its kind. I believe there was something very similar in another format for travel to and from Iran, Beirut at one time. However, one of the responsibilities we have at the Department of Transportation, particularly in light of our new responsibilities we inherited in January, is to inform the travel agency industry, as well as put all carriers on notice that all tickets sold for travel to and from a particular country must come with a warning by the travel agent or the sales agent stating "There is a travel advisory in existence at this particular time. For more information, contact the Department of State."

Mr. MINETA. Mr. Boehlert.

Mr. BOEHLERT. Mr. Secretary, let me ask you about the travel advisory. Is there any requirement that when a ticket is purchased, if a travel advisory is in effect, that there is an obligation on the part of the seller to tell the buyer that a travel advisory is in effect?

I am concerned, a travel advisory to me doesn't seem worth a tinker's damn.

Mr. SCOCOZZA. There isn't at this particular time. Those are the kinds of things that the DOT can and should do in situations like this.

When the President of the United States announced the travel advisory, that was pretty good notice to all the airlines and the travel agents that they had an obligation to tell their clients that a travel advisory was in existence. However, as the recipient of the consumer responsibilities from the Civil Aeronautics Board, the Department of Transportation, with the FAA on board, can undertake to do that, to ensure that, when a travel advisory is put in place, that notices go out to all travel agents, that everyone knows about it, particularly all carriers who might be selling tickets to that country.

There may only be two carriers that serve that country. They would certainly be put on notice to undertake immediately an effort to advise all passengers who buy tickets, that and also applies to the travel agent industry, and I think that deserves a quick mention.

The American Society of Travel Agents and the American Retail Travel Agents' Association have been very, very cooperative in terms of the travel advisory to Greece, and they deserve a tremendous amount of credit in their efforts to advise all of their travel agents to immediately undertake to advise the purchasers of tickets that have been bought through them about the travel advisory to Greece.

We should institutionalize that process.

Mr. BOEHLERT. What concerns me, Athens, take Athens as a case in point, the committee has been advised that this has been cited as an airport with repeated examples of major deficiencies in terms of security, as recently as February of this year, but we look at it and we say, it is deficient, and there are major deficiencies, but nothing happens further, and even after the hijacking, American carriers were flying the next week in and out of Athens, despite the fact that nothing seemed to change in terms of security arrangements there.

Doesn't the Department have the authority to cut off all service to an airport, to order all American carriers not to fly into an airport that doesn't meet strict security standards?

Mr. SCOCOZZA. Section 1115 of the Federal Aviation Act gives us the authority to terminate service by a national carrier to or from a country where we believe that the security is so inefficient, or so inadequate, as to put the lives of passengers in jeopardy.

That is one of the reasons the President sent legislation to Capitol Hill. The proposed amendments to that section make it clear that, without a consultative process, we can immediately make a determination that a serious emergency situation exists, and travel by foreign and domestic carriers to and from that airport will discontinue.

Mr. BOEHLERT. Explain to me why we didn't take immediate action after that hijacking to force American carriers to discontinue service to Athens?

Mr. SCOCOZZA. Our appraisal of the Athens situation was such that with a travel advisory, the risk to passengers was adequately covered because we were satisfied that the kinds of inadequacies that we had consistently found at the Athens airport were taken care of by the redundant systems and the consultative mechanism had been going on for a long period of time.

Mr. BOEHLERT. I have a lot of questions for the ICAO witness. I don't know if you have been exposed to an article appearing in the July 9, New York Times, written by Stewart Diamond, and I would like to read you the first paragraph of that article, if I may, because it capsulizes how I feel about the situation.

It says:

> Nearly all airline hijackings and terrorism could be foiled by currently available security devices and procedures, but few air carriers or countries apply them sufficiently.

How would you respond to that statement? Do you say it is basically on target? Is it erroneous?

Mr. SCOCOZZA. He is going in the right direction in terms of what he said. I really can't speak specifically, because I don't know about the analysis or what particular hijackings he is referring to.

There is technology out there. There is obviously a tremendous amount of training available. As a matter of fact, training was developed in the United States for terrorism and hijacking.

The problem I have is that it is very difficult for us to verify the actual situation in a lot of airports, because access by the FAA and American inspectors is often hampered or restrained.

Many times, we may have to call ahead of time and make arrangements through diplomatic channels and say we would like to have access to the ABC Airport. Well, ABC Airport may have all their shoes shined, and people alert and working as efficiently as possible, when our inspectors are there. These are some of the things that are troublesome to us, that give us an inability to actually make a finite appraisal in many situations.

Mr. BOEHLERT. Because of TWA 847, it is a matter of great concern for the United States today. I would have to believe that nations around the world, irrespective of political philosophy or of any other factor, would have to be just as concerned as we are about airport security.

Therefore, it seems logical to me, and I will pursue this further when we have the representative from ICAO, we ought to have some international agreement with some basic understanding that there are security, airport security standards that are agreed upon, and those airports that do not live up to those standards are boycotted, period, end of report.

All the other member nations would refuse to let their airlines fly into that airport that didn't live up to standards, and the airlines from that nation could not fly to other members' airports.

We have to be really tough, rather than just talk about it. I know you share that view.

No further questions, Mr. Chairman.

Mr. MINETA. Mr. Valentine.

Mr. VALENTINE. Thank you, Mr. Chairman.

Do any of the American airlines—so far as you know—any of you ever undertake to make independent judgments in matters of these kinds, and they have got very expensive investments that go into these places, and a few years ago—and I am sure it has happened more than one time—the airplane blown up on the runway—do you know of airlines with their resources, that undertake to exercise independent judgments as to where they should fly and should not fly?

Mr. SCOCOZZA. The individual airlines work hand-in-hand with the FAA. The airlines are an important source of information on the security situations at individual airports, because on a daily basis, airlines have access to many areas where FAA inspectors may not.

Mr. VALENTINE. I understand that, but I mean, do you know of a situation where there might be another Athens, and some airline said, from what we know from our sources, we are not going to take our multimillion-dollar equipment in there, regardless of what the governments say about it?

If so, what would be the attitude of our Government, for example, if you receive word from TWA that they had found, based on their independent investigations, whatever sources they deemed appropriate, we are not going to send our stuff into this place?

What would be the attitude of the Government?

Mr. BRODERICK. We would pay very careful attention to that very promptly. I can cite as an example the situation at Beirut before the latest crisis, where airlines were not flying into there for reasons not only of protection of their assets, but for fulfillment of their public responsibility, to ensure air transportation with the highest level of safety.

They make these assessments on a continuing basis. Greece is another example where both Pan American and TWA had installed equipment, had installed in one case—and requested permission of the Government, the operator of the airport, in another—to install additional equipment which they felt necessary for the protection of American passengers, American citizens and other passengers of the airline.

So, it happens all the time on a continuing basis by the airlines, as well as this Government.

Mr. VALENTINE. Of course, we are fighting crime, and when you fight crime, you can't just close up other institutions. you have to do the best that you can.

There were a lot of indications, as some of you have mentioned, about Athens. You could almost see it coming. Is there, in your opinion, another Athens on the horizon?

Mr. BRODERICK. Mr. Vincent.

Mr. VINCENT. The short answer, Congressman, is "No."

Mr. VALENTINE. Is there anything that you—and I don't want to ask you—we had a closed session, and I don't want to ask you anything that would elicit any information that you don't want to disclose, anything that would be the least bit helpful to these so-and-sos, but are you able to tell this committee specifically of ways that you think the Congress could help to address this problem effectively, other than by just passing resolutions and issuing press releases, and making noises?

Is there anything that we can really do to help you?

Mr. SCOCOZZA. Congressman, I would say the administration's bill that we filed would be very helpful to us. The amendment to section 1115 of the Federal Aviation Act, would give us the immediate ability to cut off service between the United States and any foreign country, without the necessity of perhaps a show-cause order, or the delay tactics that the bureaucracy would require.

In a situation where there was an emergency, I can guarantee you, it would stop that day, but of course, we might be subject to court attack by the foreign airline and may be responsible for damages thereafter.

The other thing contained in our bill is the ability, the clear ability for the Secretary of Transportation to enable Federal Air Marshals to have arrest powers, and weapons on board an airline with the consent of the Department of State and the consent of the Attorney General, would be very helpful to us.

It would alleviate the necessity of having to have these people deputized every time they were going to fly. Those are two key places to start, and we have asked for an authorization to help pay for the enhancement of the Federal Air Marshal Program.

Mr. VALENTINE. Do American airlines fly into Iran and Iraq presently?

Mr. SCOCOZZA. I don't believe they do.

Mr. VINCENT. No, they do not, Congressman.

Mr. VALENTINE. Thank you very much.

Mr. MINETA. Mr. Broderick, I think maybe this question might be directed at you. Can you briefly describe where, or how far we are along on any kind of a functioning explosive detection device that we can depend upon? And will this device be a substitute for low-tech measures for searching and detection. What is the phrase you used, "matched baggage?"

Mr. BRODERICK. Positive passenger bag matching. Yes, Mr. Chairman, we have two specific R&D programs underway right now which show promise of fairly near-term payoff. I say "promise" because, in this very complex technological field, we are trying to solve a very difficult problem.

I personally have been involved in this technology for some 15 years. Without being too specific, within the next couple of years or so, we should have completed the kind of R&D that is necessary to introduce some fairly sophisticated and highly reliable explosives detection equipment into the arsenal of weapons that we use. I used that last phrase because, while it does in fact assist us, and supplement techniques that are the low-tech techniques that you referred to, it will not replace them.

We keep trying to improve efficiency, but we never will replace hand searches that are appropriate in given situations.

Mr. MINETA. Low-tech would be bomb-sniffing dogs?

Mr. BRODERICK. That is one example of low-tech, yes, sir.

Mr. SCOCOZZA. The date of 2 years that Mr. Broderick mentioned is really only with respect to one type of technology. There is a quick return in the near-term on other types of technology. There is a lot of technology already available, so the public record should not assume that it is going to take 2 years for technology to be in place.

This morning's transcript adequately reflects in detail what types of technologies are available, but anyone scrutinizing this public record should not assume that it will be 2 years down the road before there is any technology to detect any type of explosive devices or handguns.

Mr. MINETA. I understand you are on the verge of issuing a special Federal aviation regulation to require more security training for aircraft crews, and yet, I also understand that the Department of Transportation and the FAA have been unable to tell the airlines what they expect to be covered within the 8 hours of training that will be required.

Now, was the 8-hour requirement established on the assumption that there was something specific that you wanted to have required within that 8-hour period, or was there some other basis for that 8-hour requirement?

Mr. SCOCOZZA. There is a complete curriculum behind the 8 hours, very, very detailed, with a syllabus to help the airlines understand the specific types of things that we want emphasized or enhanced above and beyond what is being done already.

Mr. MINETA. I guess the expression that I heard was, well, what is being outlined, we can do in 3 hours, I don't know what we are going to do in the other 5.

Mr. BRODERICK. I can assure you that there is a plethora of subject matters that can be covered, and our difficulty is going to be in squeezing it all into 8 hours rather than trying to fill up the 8 hours.

Basically, in addition to the existing kinds of antihijacking and crisis management training that people get, we intend to focus on new developments in the area of the threat, and also focus on a broader involvement, shall we say, of the aircraft crew in security before and during passenger boarding.

I would rather not go into a lot of details on that, but we do intend to cover some curriculum areas which have not previously been given a lot of attention in the ground security area.

Mr. MINETA. Now, it is my understanding that the Standard Security Program aspect of the airlines' operating certificates has been amended in recent days to boost security efforts.

Have we made similar arrangements to the operating certificates of foreign carriers?

Mr. BRODERICK. No, sir, we do not regulate in the same detail the Security Program of foreign air carriers.

Mr. MINETA. Won't that then lead to problems? I believe that U.S. carriers will now be required to hold all cargo and mail on flights for certain airports for 24 hours for inspection. Are foreign airlines also subject to this requirement, and if not, isn't this something that needs to be addressed?

Mr. BRODERICK. It is something that we are certainly considering. Let me say, though, at the outset, that the threat that we are addressing is a threat in foreign lands against U.S. interests, so, for example, a foreign carrier in a foreign land does not represent that threat that we are talking about.

Mr. MINETA. What about foreign carrier flying from a U.S. airport carrying passengers and mail?

Mr. BRODERICK. We have a very good record of intelligence and security in the United States for both domestic and foreign carriers.

Mr. MINETA. With respect to the high-risk airports designated in the amendments to the Standard Security Program, what are the characteristics of these airports that put them on this list?

I have been in some of those airports and my impression has been that their security was good.

Mr. VINCENT. Those airports, I would rather term areas, have nothing necessarily to do with the security existing at the airport itself—the security in fact may be excellent—but rather primarily the threat emanating from that area or that airport, In other words, the possibility of criminal activities against U.S. interests, citizens, industry coming from that area rather than the security that might exist at the airport.

Mr. MINETA. It is my understanding that flights to high-risk airports must have checked luggage searched or matched to the person who is actually going to be traveling on the flight.

From the passenger standpoint, what will this mean for his or her travel plans? How much time should they now expect to be delayed for these additional steps, if any?

Mr. VINCENT. Mr. Chairman, at some of these locations, with all of the procedures religiously applied with with a large volume operation—that is, at a very busy airport—that could add to some inconvenience to the traveler, some added, additional time on the front end for check-in.

That should not however be prohibitive, and I think the passengers ought to consult their carriers in that regard, and the air carriers could give better counsel to them on the specific airports and the areas.

Mr. MINETA. With respect to the new prohibition on curb-side check-in for international flights, why is there a prohibition if there will be searching or matching down the line?

Cannot curb-side luggage be subjected to the same measures? Might this be superfluous to security given other measures that you are taking?

Mr. VINCENT. Mr. Chairman, I would respectfully like to stay away from the specifics of those countermeasures if we could, because discussing those in any detail gives the value of the countermeasure away, and enables someone to circumvent the system.

Mr. MINETA. With respect to the recent designation of various foreign airports as high-risk airports, can you describe the process by which some airports were selected and others were not?

Mr. VINCENT. Yes, sir, Mr. Chairman, we again selected the areas in relation to the threat, and the threat was determined in relation to the intelligence flow, as well as the past history, specifically, of those areas.

The list that you are speaking of is, and probably has been refined from its original list, and will be under continuous review from this point on.

Mr. MINETA. It is my understanding that no U.S. airports were designated as high-risk, and yet there have been incidents at some U.S. airports from time to time. It is improved in 1984 over 1983. Were these U.S. airports automatically eliminated by virtue of

their being in the United States, or was an assessment made and a conclusion reached that no U.S. airport met your high-risk criteria?

Mr. VINCENT. Mr. Chairman, the United States, again, was determined to be a low-risk area from a terrorism standpoint. As a a matter of fact, the last major terrorist incident, as it relates to aviation, was in 1976 against a U.S. aircraft in the United States. There have been two others since that time that are borderline on what you might describe as a terrorist incident.

Outside of that, the record shows the major hijackings or the majority of the hijackings have been to Cuba. In short, the threat assessment was such from the intelligence information, that no U.S. airport was included in that list.

Mr. BOEHLERT. ATA has been very supportive of greater use of preclearance procedures where baggage and passengers bound to the United States are screened in the foreign country rather than back home in the usual context of Customs inspections.

This approach seems to make good sense from the standpoint of security and being able to avoid large lines when everyone converges on the Customs office at once. Is this concept being pursued more aggressively as ATA has requested?

Mr. SCOCOZZA. As a matter of fact, I chair a Facilitation Committee, and the membership includes the Department of State, Treasury, Interior, Agriculture, and the Immigration and Customs Services. We have been trying to pursue preclearance at other airports for the past couple of years.

We are very close to perhaps working out something with the Government of Ireland. We are very close to working something out with the Government of Colombia. I must admit, though, that the driving force has not been security for these exercises, and the observation you are making is quite correct.

Security enhancement would probably occur as a result of preclearance, but Ireland and Colombia are the two countries that we are close to coming to agreements on.

The Government of Italy is close, but other than those three countries, I don't think there has been more active interest from our diplomatic friends.

Mr. MINETA. Well, thank you very much, Mr. Secretary, and Mr. Vincent, Mr. Broderick, and Mr. Dean, for your presence here today.

Mr. SCOCOZZA. Thank you for having us, Mr. Chairman.

[Mr. Scocozza's prepared statement follows:]

STATEMENT OF THE HONORABLE MATTHEW V. SCOCOZZA
ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS
BEFORE THE HOUSE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
AVIATION SUBCOMMITTEE
ON AIRPORT AND AIRLINE SECURITY
JULY 11, 1985

Mr. Chairman and Members of the Subcommittee:

I welcome the opportunity to appear before the Subcommittee to discuss current aviation security programs and the legislative changes that the Department needs to strengthen those programs.

I would like to start off by saying that we believe that the air transportation security system developed by the United States is fundamentally sound and amply protects the American public. Naturally, we continually refine the details of the system. As an example, we are currently working on some very promising research that would provide better detection of explosives, flammable materials and weapons for use in screening both passengers and baggage and cargo. Recently, we recommended to the President that we commit additional resources to that research to expedite its completion.

In addition to our extensive domestic system, the Department of Transportation has an on-going program to assess security at foreign airports. For this purpose, the FAA maintains eleven overseas offices. We require that all airlines serving the United States meet basic security requirements, including a passenger screening system, and we conduct on-site inspections of those systems frequently.

However, we have no authority over foreign airports themselves. We cannot dictate to foreign governments the security standards they must observe on their soil, just as we would not permit them to dictate their policies to us, but we do work with other governments in a number of ways.

First, we work directly with a foreign government when we discover that the airport itself has some security deficiency, through our periodic inspections of carrier operations or through other means. We have found most foreign governments cooperative and genuinely concerned for the safety of all passengers.

In addition, we work closely with the Department of State in its anti-terrorist assistance program to provide training and technical assistance to other governments in their efforts to improve aviation security.

Finally, the Department works through various international organizations to encourage the establishment of an international consensus on civil aviation security standards and to monitor their worldwide observance. In this regard, two international organizations are especially important. The first is the International Civil Aviation Organization, referred to as ICAO. ICAO sets minimum civil aviation security standards and recommends practices to implement those standards. Those standards are, however, less specific than those prescribed by the FAA.

In an attempt to persuade ICAO to reexamine and strengthen its security standards, Secretary Dole addressed the ICAO Council on June 27, 1985. She asked ICAO to focus on the problem of terrorism against international air transportation, to review its

security standards, to monitor more effectively the level of compliance with those standards, and to convene a special session to review its progress in improving international aviation security. The ICAO Council promptly extended that session for two weeks and is currently considering an ambitious work program reflecting in large measure the U.S. government's recommendations. A special session will be held late in the summer.

The second international organization most involved in this area is the International Air Transport Association. IATA, as it is called, is an association of airlines throughout the world. IATA has historically been involved in monitoring the effectiveness of security measures at airports used by its member carriers. By working through the carriers, many of which are state-owned, IATA has been able to influence the level and extent of security at many foreign airports.

The American system of airport security serves as a model for the world community. However, as I have discussed, we are limited in our ability to control the level of security at foreign airports. To provide us with the tools we need to deal effectively with the threat of air piracy and terrorism in foreign air transportation, the Department believes that current law should be amended. The bill proposed by the Department of Transportation, and introduced as H.R. 2827 by the chairmen and ranking members of the full committee and the aviation subcommittee, provides us with these tools.

First, the Department's proposal would strengthen our existing authority under section 1115 of the Federal Aviation Act

of 1958 which relates to the suspension of air service to unsafe foreign airports. It would grant to the Secretary of Transportation, with the approval of the Secretary of State, clear authority to suspend air service between the U.S. and foreign airports which present an unacceptable security risk, without the need to use potentially time-consuming consultation procedures. Further, the bill expands section 1115 to include U.S. air carriers and carriers of third countries, in addition to foreign air carriers of the country in question.

After the hijacking, President Reagan asked Secretary Dole to review the need for an expanded air marshal program. She has now done so and reported her conclusion that the air marshal program can and should be expanded. Our legislation therefore responds to our need for authorization of an appropriation from the Airport and Airway Trust Fund of amounts necessary to fund that expansion. The bill would also provide DOT with the authority, subject to the approval by the Secretary of State and the Attorney General, to grant the power of arrest and the authority to carry firearms, eliminating the need to have our air marshals deputized by the U.S. Marshal Service.

The benefit of this legislation may be illustrated by some events that took place immediately after the hijacking. On July 1, 1985, the President exercised his broad powers under section 1114 of the Act to suspend the operating rights of all Lebanese carriers and all U.S. carriers' authority to serve Lebanon. On July 2, the Department of Transportation revoked the authority of all U.S. carriers to serve Lebanon and of Middle East

Airlines (MEA), the Lebanese carrier, to serve the United States. To accomplish this, the Department exercised its safety authority under section 609 of the Act to revoke the operating authority of U.S. carriers for safety reasons. Fortunately, MEA operated under section 416 exemptions from section 402 of the Act which were specifically subject to the condition that they could be revoked without notice or hearing. The Department was thus able to act swiftly to revoke all authority to operate between the United States and Lebanon.

However, if the President had not been able to invoke the provisions of section 1114 by finding that a violation of the international hijacking convention had occurred, and if MEA had held a permit under section 402, the Department would not have been able to act as swiftly as it did. The current section 1115 of the Act would have required us first to consult with the foreign government with whose airport we had concerns before revoking any authority. It does not provide for emergency action. Our ability to revoke permits under section 402 also may be delayed by statutory procedural requirements.

Section 1115 also does not extend to U.S. carriers nor does it allow us to terminate the rights of carriers from third countries who may be authorized to operate to the U.S. through airports which have inadequate security.

Thus, we believe that there is a substantial need to equip the Secretary of Transportation with clear power to act in an emergency without notice or hearing, but with the approval of the Secretary of State, to terminate all service between the United

States and a foreign airport that presents an unacceptable security risk.

I want to take this opportunity to present our views on the various pieces of pending legislation, in particular the bill sponsored by this committee and passed by the House on June 18, H.R. 2796. The timely passage of this bill demonstrates the initiative and leadership for which this subcommittee is well known. And I believe that the same fundamental goal lies behind both the Administration's bill and the House bill: improving the capability of the U.S. to assure the safety of international air transportation. H.R. 2796 responds to a perceived need to step up security inspections at foreign airports and to inform the public of deficiencies discovered during those inspections. In addition, H.R. 2796 prescribes a 120-day period during which the Secretary must take some action. We understand this provision may also become a part of the House's foreign aid legislation.

As a general matter, the Department agrees with the view underlying the notice provisions that, in most circumstances, information which the government possesses regarding serious safety risks should be shared with the travelling public. However, any legislation that forces our government to deal with a foreign government in a prescribed manner would be counterproductive to the international cooperation that we believe is necessary to deal effectively with terrorism. The United States cannot and should not be forced to take rigid unilateral

actions in dealing with foreign governments on the issue of airport and air carrier safety and security.

We also believe that the public notice requirements of H.R. 2796 are too rigid. We believe that we have adequate authority under existing statutes to notify the public, and in fact the Department of State exercised its authority by issuing a travel advisory concerning safety issues at the Athens airport. H.R. 2796 would replace the current system, which provides a flexible means of tailoring the public notification to the degree of the safety problem, with a more bureaucratic system that may not give the public any better notice than it has now. In addition, such a notice provision runs the risk that we will be forced to disclose to potential terrorists those airports which are most vulnerable.

I would also like to describe our serious concerns with H.R. 2822, the Fascell bill. We believe that bill, as reported out by the Foreign Affairs Committee, would disturb the careful delineation of responsibility that currently exists between the FAA, acting for DOT, and the Department of State. H.R. 2822 would ignore the current statutory mechanism in Title XI of the FAA Act and create a parallel process in which DOT would not have a statutory role. We and the Department of State are opposed to this version of the bill. We understand that modifications to the language as added to the House foreign aid legislation may mitigate the problem, but we do not consider the underlying requirement reasonable.

The Department believes that passage of its bill will permit it to strengthen its efforts to protect U.S. citizens from future terrorist incidents in air transportation. Therefore, we urge you to review H.R. 2827 carefully and to support its enactment into law, in lieu of other bills pending before the Congress.

That completes my prepared statement. We would be pleased to respond to any questions you may have at this time.

Mr. MINETA. I would like to call forward the Honorable Edward Stohr, the U.S. Representative to the International Civil Aviation Organization, and Chairman of the ICAO Council's Committee on Unlawful Interference.

Your statement will be made a part of the record. You may proceed in your own fashion.

TESTIMONY OF HON. EDMUND STOHR, U.S. REPRESENTATIVE, INTERNATIONAL CIVIL AVIATION ORGANIZATION AND CHAIRMAN OF ICAO COUNCIL'S COMMITTEE ON UNLAWFUL INTERFERENCE

Mr. STOHR. Thank you, Mr. Chairman.

I would like to read a few paragraphs of my paper, and then if there are questions, I would be happy to field those to the best of my ability.

My name is Edmund Stohr, not Edward, Mr. Chairman. I am the U.S. Representative to the Council of the International Civil Aviation Organization. I have been appointed by the President to lead the permanent U.S. delegation, which is resident in Montreal.

The permanent U.S. delegation advocates and defends U.S. civil aviation interests int he 33-man ICAO Intergovernmental Council and its committees.

The International Civil Aviation Organization, ICAO for short, is 1 of the 10 specialized agencies of the United Nations. The treaty basis of ICAO is the Convention on International Civil Aviation, which was signed in Chicago on December 7, 1944. This treaty, known as the Chicago Convention, has been ratified by 156 nations.

Member states participate in ICAO through an assembly of all 156 members, which meets every 3 years, a council of 33 members which meets with its committees in three sessions of 2 months each every year, and a 15-member air navigation commission of aeronautical experts, which also meets three times per year.

The principal purposes of ICAO defined in the preamble to, the Chicago Convention include:

To "establish international air transport services on the basis of equality of opportunity and sound economic operation," and to "develop international civil aviation in a safe and orderly manner, which can help to create friendship and understanding among the nations and peoples of the world," yet recognizing that "its abuse can become a threat to the general security."

To accomplish these ends, during the past 40 years, ICAO has elaborated 18 annexes to the Chicago Convention which contain standards and recommended practices plus additional guidance materials for member states.

Standards are recognized as necessary for the safety and regularity of international air navigation and ICAO. The standards do not have an absolutely legally binding power on contracting states; that states can, under the Chicago Convention, depart from international standards if they find it impracticable to comply.

Nevertheless, ICAO member states are obliged to adopt these standards or notify ICAO in writing of deviations in practice from these standards. Recommended practices in the annexes and guid-

ance materials apart from the annexes are considered desirable, but not essential.

In 1969, the ICAO Council established a committee on unlawful interference to address the problems of hijacking, a committee of which I am presently the chairman. In June 1970, an extraordinary assembly of ICAO called for the creation of an annex on security.

This annex on security is annex No. 17. It is subtitled, "Safeguarding International Civil Aviation Against Acts of Unlawful Interference," and it has been amended four times since it was first published in 1974 in resonse to needs identified by states. The last amendment was on April 14, 1985.

Mr. Chairman, I will skip the portion of my statement, which is before you, having to do with the Tokyo, The Hague, and Montreal Conventions, except to say that they were indeed drafted under the aegis of ICAO, and the impetus was through ICAO, and therefore, that should be recognized.

On June 14, the ICAO Council finished its consideration of an agenda item on strengthening measures to suppress unlawful acts against the security of civil aviation by unanimously passing a resolution, which deplored acts against international civil aviation security and safety and urged states to meet all their obligations under treaties and ICAO resolutions, and to take more effective preventive measures.

Subsequently, however, the hijacking of TWA 847 in Athens, the bombings at Frankfurt and Narita, and the Air India tragedy, led the Secretary of Transportation to take the initiative of asking the ICAO Council to hear a statement by her.

Her initiative, in fact, awakened the Council to the gravity of the present situation with regard to unlawful interference with international civil aviation.

On June 27, the ICAO Council was addressed by Secretary Dole, by Canada's Minister of Transport, Donald F. Mazankowski, and by U.K. Parliamentary Under Secretary of State for Aviation and Shipping, Michael Spicer. These statements mobilized the Council to extend its session from June 28 until July 12.

Thirty-one of the thirty-three ICAO Council representatives supported the proposals for ICAO action made by Secretary Dole. Proposals by others to combat unlawful interference and sabotage were all compatible with and in some cases parallel to U.S. proposals.

The Secretariat of ICAO quickly prepared a plan of action, based on the suggestions made by Secretary Dole and others, of 14 separate aspects of aviation security on which action could begin immediately with progress expected before the ICAO Council reconvenes on September 4.

I might say with the cooperation of the Council, we have been able to advance that date from September 23 to September 4.

On Tuesday and Wednesday of this week, July 9 and 10, the ICAO Council considered the Secretary General's paper together with the papers submitted by the United States, Canada, and France.

The Council, after due deliberation yesterday, July 10, instructed the Committee on Unlawful Interference to create an ad hoc group

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of experts to review annex 17 and related ICAO documents and report to the Council at the beginning of its 116th session in early September.

The Committee on Unlawful Interference is also to review all decisions taken and work done by ICAO on the subject of unlawful interference with the view toward making appropriate recommendations to the September Council session on the coordination of all ICAO activities in this regard.

I might say at this point, Mr. Chairman, at 10, the waiving of all notices, all required notices for meetings, 10 tomorrow morning, my committee will meet in Montreal.

As many nations, including the United States, have individuals for this ad hoc working group waiting in the winds, it is hopeful that the first session can be convened in Montreal on August 5 and extend its work for an initial 2-week period, and as much time after that as may be required.

As the Council is made up of 33 representatives it is often difficult to satisfy all perceived needs and problems. It is my intention, as chairman of the committee supervising this work, to keep it moving as rapidly as possible.

Thank you, Mr. Chairman. If there are any questions, I understand there are, I would be happy to attempt to reply.

Mr. MINETA. Thank you very much.

Is there an ICAO position on the widespread use of the air marshals on aircraft, and does ICAO endorse that approach or express some of the same reservations raised by aviation security professionals in the United States?

Mr. STOHR. There is no ICAO position on the use of air marshals.

Mr. MINETA. I understand ICAO distinguishes between standards and recommendations. Standards are considered to be binding and recommendations are not.

It seems to me that many of the recommended practices in annex 17 of the Chicago Convention clearly merit treatment as the standard.

One of the many examples is the recommendation in section 4.1.14, that states, and I quote, "Contracting States should establish the necessary procedures to prevent the unauthorized introduction of explosives or incendiary devices in baggage, cargo, mail and luggage to be carried on board aircraft." Do you believe an effort should be made to convert recommendations such as the one I just quoted to standards?

Mr. STOHR. Mr. Chairman, the real thrust of the work which will be going on very soon is indeed to raise the level of many guidance material items to recommended practices, and certainly of many recommended practices to standards.

Mr. MINETA. Does ICAO take steps to ensure that distribution of their security publications and Member State Security Programs are in fact restricted to those persons with a need to know.

Mr. STOHR. I think a simple answer to that is, "No," we have discussed that matter.

The word "confidential" or "secret" on a document that is distributed to 156 states around the world, that goes through the post, is pretty difficult to, indeed, keep that out of the hands where it shouldn't be.

It is excellent point, but I think it is a matter that is extremely difficult to enforce.

Mr. MINETA. To what extent does ICAO now serve as a clearinghouse for aviation security-related information? Should or does ICAO play a role going beyond the standard recommendations and security manual publications by sharing information on threats and techniques on a real-time basis?

Mr. STOHR. Yes, the Secretary General of ICAO has a standing aviation security counsel that is called the AFSEC committee, which these people, we find, know each other very well. They are on the telephone to each other from various parts of the world, and these items are indeed shared.

I might, if I may, Mr. Chairman, comment that in May of this year, the FAA cosponsored a meeting with some 300 aviation security people from all over the world, representing 42 countries, and in a 3-day meeting, created a great deal of exchange of information which was considered extremely useful.

Mr. MINETA. Right now the only obligation for an ICAO Member State that does not comply with ICAO standards is to notify ICAO that that is the fact. Do you, or does the Committee on Unlawful Interference think ICAO should play a stronger enforcement role, and, if so, does it presently have authority to do so?

Mr. STOHR. I think that is the key question, if I may make that comment, Mr. Chairman.

I believe a lawyer would have—and I am not a lawyer—would have to say that the convention does not indeed contain inspection privileges, or has ICAO ever made inspections for the purpose of determining enforcement activity.

However, I think, if I may refer to the Athens incident, the morning after the President's announcement was made, the authorities in Greece were on the phone to ICAO and said, "Can you have an inspection team here this afternoon?"

When it becomes apparent that an airport is deficient, that airport, because of economic reasons, and specifically in the case of Athens, responds very quickly. And part of the program which has been envisioned, and part of the program which has been recommended by the inspectors on June 27, is to create a group which, on request of a state, could go to that country, make the inspection, prepare a report, and then that report could be implemented in order to provide the necessary safeguards at that airport.

Mr. MINETA. To my knowledge, ICAO instruments do not provide a basis for imposing primary and secondary boycotts against states that refuse to comply with ICAO standards.

Do you see this as a potentially useful enforcement strategy for ICAO and one that might merit incorporation into the ICAO process in some manner?

Mr. STOHR. Mr. Chairman, it is my belief that getting a 33-man council with respresentatives from all over the world—some are rich, some are poor, some have facilities, some do not, some have political ties, some have political ties in other areas—it would be extremely difficult to get enough majority to create a sanction against any one state. And I might say, if I would be allowed, that our own country has refused sanctions in certain areas in ICAO.

We refuse to condemn certain States for actions, which we then turned around and asked condemnation in other incidents.

So ICAO is not normally politically oriented. This would force us into being such, and I think we should think long and hard about whether ICAO should indeed be asked to be the policeman in this case.

Mr. MINETA. The Airport Operators Council International, has suggested that travel advisories ought to be issued by ICAO. Do you believe such a step should only be taken by individual countries, namely, the particular foreign airports that concern them?

Mr. STOHR. I believe, Mr. Chairman, that the reports to which I have referred, that is, if a state is concerned about its own security, and certainly many are because they don't want sanctions, and an ICAO group goes to that state and makes a report, that report is available to 156 other members, and then it would be the sovereign right of each state to take the action which it believes appropriate.

Mr. MINETA. Is it realistic to expect Third World and some of the other nations to commit themselves to expensive and fairly sophisticated techniques for preventing unlawful interference with international aviation, or, as a practical matter, would budgetary problems, ideological considerations or lack of expertise preclude worldwide conformance with ICAO standards?

Mr. STOHR. I think that is an excellent question, Mr. Chairman, and I believe that the concerns which you have suggested are, certainly were in the minds of the representatives of the Third World when we discussed this matter on June 27, and again, 2 days already this week.

It is very possible that there are areas of the world, because of the geographical location of them or the amount of traffic or whatever the factors may be, that would not require identical facilities that might be required at JFK or at Heathcrow or some other airport around the world.

It could even be—and we will certainly address this point when the annex 17 is redone—there might be categories. I don't want to prejudge that, but that is a distinct possibility in order to protect the very point that you make.

Mr. MINETA. Mr. Boehlert.

Mr. BOEHLERT. No questions, Mr. Chairman.

Mr. MINETA. Mr. Anderson.

Mr. ANDERSON. No questions.

Mr. MINETA. Mr. Minister, I want to thank you very much for your presence here today and for the testimony given to us. We look forward to hearing about your deliberations in September.

Mr. STOHR. Thank you, Mr. Chairman. I can assure you we will do our best.

The thing we want to do is keep this moving as fast as we can.

I was quoted in the paper this morning in Montreal as saying I didn't think we could fiddle while Rome was burning, and I believe that we are committed to getting as much done as we can in a form which is probably a high-grade example of how United Nations can work.

But we, politically, are not as—we don't have the same problem as some other United Nations organizations. I think that we can get some things done.

Thank you, sir.

Mr. MINETA. Thank you very much.

[Mr. Stohr's prepared statement follows:]

STATEMENT OF MINISTER EDMUND STOHR,
UNITED STATES REPRESENTATIVE
TO THE INTERNATIONAL CIVIL AVIATION ORGANIZATION,
ON INTERNATIONAL CIVIL AVIATION SECURITY

BEFORE THE SUBCOMMITTEE ON AVIATION
OF THE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION
OF THE UNITED STATES HOUSE OF REPRESENTATIVES

JULY 11, 1985

My name is Edmund Stohr. I am the United States representative to the Council of the International Civil Aviation Organization. I have been appointed by the President to lead the permanent United States delegation, which is resident in Montreal. The permanent United States delegation advocates and defends United States' civil aviation interests in the 33-man ICAO Inter-Governmental Council and its committees.

The International Civil Aviation Organization, ICAO for short, is one of the ten specialized agencies of the United Nations. The treaty basis of ICAO is the Convention on International Civil Aviation which was signed in Chicago on December 7, 1944. This treaty, known as the Chicago Convention, has been ratified by 156 nations.

Member states participate in ICAO through an assembly of all 156 members, which meets every three years, a council of 33 members which meets with its committees in three sessions of two months each every year and a 15 member air navigation commission of aeronautical experts which also meets three times per year.

The principal purposes of ICAO defined in the preamble to the Chicago Convention include:
-- to "establish international air transport services on the basis of equality of opportunity and sound economic operation," and
-- to "develop international civil aviation in a safe and orderly manner...which can help to create friendship and understanding among the nations and peoples of the world" yet recognizing that "its abuse can become a threat to the general security."

To accomplish these ends, during the past 40 years, ICAO has elaborated 18 annexes to the Chicago Convention which contain standards and recommended practices plus additional guidance materials for member States.

Standards are recognized as necessary for the safety and regularity of international air navigation and ICAO. The standards do not have an absolutely legally binding power on contracting States; the States can, under the Chicago Convention, depart from international standards if they find it impracticable to comply. Nevertheless, ICAO member States are obliged to adopt these standards or notify ICAO in writing of deviations in practice from these standards. Recommended practices in the annexes and guidance materials apart from the annexes are considered desirable but not essential.

In 1969 the ICAO Council established a committee on unlawful interference to address the problems of hijacking, a committee of which I am presently the chairman. In June 1970 an extraordinary assembly of ICAO called for the creation of an annex on security. This annex on security is Annex Number 17.

It is subtitled "Safeguarding International Civil Aviation against Acts of Unlawful Interference" and it has been amended four times since it was first published in 1974 in response to needs identified by States. The last amendment was on April 14, 1985.

In the legal field, a major achievement of ICAO's work is the preparation, adoption and worldwide acceptance of three international multilateral conventions dealing directly with problems of aviation security - The Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft of 1963, The Hague Convention for the Suppression of Unlawful Seizure of Aircraft of 1970 and the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971.

The Tokyo Convention of 1963 establishes jurisdiction of States with respect to offences and certain other acts committed on board aircraft and grants a wide spectrum of powers to the aircraft commander; a farsighted provision of Article 11 deals specifically with the consequences of an unlawful seizure of aircraft; at present there are 122 States party to the Tokyo Convention.

The Hague Convention of 1970 was prepared in the forum of the ICAO Legal Committee with unprecedented speed and efficiency in response to a resolution of the 16th Session of the ICAO Assembly held in Buenos Aires in 1968. The Convention defines the act of unlawful seizure of aircraft as an offence punishable by severe penalties, establishes essentially universal jurisdiction over the offence and provides for either extradition or prosecution of the alleged offender. At present there are 126 States party to The Hague Convention.

The Montreal Convention of 1971 defines acts of unlawful interference with civil aviation, in particular sabotage or destruction of an aircraft in service or damaging air navigation facilities, etc., provides for severe penalties for such acts and contains similar detailed provisions on jurisdiction, extradition or prosecution of the alleged offender as The Hague Convention of 1970. At present there are 125 States party to the Montreal Convention.

These Conventions are among the most widely accepted codifications of international law. The acts against security of aviation are now considered to be criminal offences virtually in all contracting States regardless of the motive for such an act; the perpetrators of such acts cannot and should not expect a "hero's welcome" in any contracting State. Only on a few isolated but regrettable recent occasions certain States appear to have failed to exercise their duties under these Conventions, have not brought the offenders to justice

and have not returned the aircraft to their lawful owners. At present four civil airliners are being held unlawfully in three States.

On June 14, the ICAO Council finished its consideration of an agenda item on strengthening measures to suppress unlawful acts against the security of civil aviation by unanimously passing a resolution, which "deplored" acts against international civil aviation security and safety and urged States to meet all their obligations under treaties and ICAO resolutions and to take more effective preventive measures.

Subsequently, however, the hijacking of TWA 847 in Athens, the bombings at Frankfurt and Narita, and the Air India tragedy, led the Secretary of Transportation, Elizabeth Hanford Dole, to take the initiative of asking the ICAO Council to hear a statement by her. Her initiative, in fact, awakened the Council to the gravity of the present situation with regard to unlawful interference with international civil aviation. On June 27 the ICAO Council was addressed by Secretary Dole, by Canada's Minister of Transport, Donald F. Mazankowski, and by U.K. Parliamentary Under Secretary of State for Aviation and Shipping, Michael Spicer. These statements mobilized the Council to extend its session from June 28 until July 12.

Thirty-one of the thirty-three ICAO Council representatives supported the proposals for ICAO action made by Secretary Dole. Proposals by others to combat unlawful interference and sabotage were all compatible with and in some cases parallel to U.S. proposals.

The Secretariat of ICAO quickly prepared a plan of action, based on the suggestions made by Secretary Dole and others, of 14 separate aspects of aviation security on which action could begin immediately with progress expected before the ICAO Council reconvenes on September 4.

On Tuesday and Wednesday of this week, July 9 and 10, the ICAO Council considered the Secretary General's paper together with the papers submitted by the U.S., Canada, and France.

The Council, after due deliberation yesterday, July 10, instructed the Committee on Unlawful Interference to create an ad hoc group of experts to review Annex 17 and related ICAO documents and report to the Council at the beginning of its 116th session in early September. The Committee on Unlawful Interference is also to review all decisions taken and work done by ICAO on the subject of unlawful interference with the view toward making appropriate recommendations to the September Council session on the coordination of all ICAO activities in this regard.

As many nations, including the U.S., have individuals for this ad hoc working group waiting in the wings it is hopeful that the first session can be convened in Montreal on August 5 and extend its work for an initial two-week period.

As the Council is made up of 33 representatives it is often difficult to satisfy all perceived needs and problems. It is my intention, as Chairman of the committee supervising this work, to keep it moving as rapidly as possible.

Thank you, Mr. Chairman.

Mr. MINETA. I would now like to call forward Mr. J. Donald Reilly, the executive director and secretary general of the Airport Operators Council International.

TESTIMONY OF J. DONALD REILLY, EXECUTIVE DIRECTOR/SECRETARY GENERAL, AIRPORT OPERATORS COUNCIL INTERNATIONAL

Mr. REILLY. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, with your permission I would like to have my statement included in the record.

I would like to just mention that included within our statement are five recommendations: one, law enforcement screening of persons hired having access to airport secured areas; two, R&D of terminal building receptacles regarding bomb plants; three, an FAA educational program for employees working on an airport to upgrade their level of recognition of the problem; four, consideration of some special ICAO committee composed of both States and industry representatives for performance of airport and airline security investigation and enforcement. But failing that, Mr. Chairman, that U.S. bilaterals should immediately begin consideration of the institution of such State-to-State investigations. And, five, R&D for better bomb detection on a more expedited basis for checked baggage.

Mr. Chairman, in regard to the FAA/Administration proposal for air marshals with funding from the AIP Program, we would only support such funding coming from the AIP surplus rather than from any of its operating accounts.

As a final note, Mr. Chairman, I would like to call your attention to the attachment to our statement where, on July 1, A.O.C.I. met with the Western European Airport Association and International Civil Airport Association and put forward a joint statement condemning terrorism, and urging both United Nations and ICAO, and their individual member States, to take decisive action to eradicate such criminal actions.

The members of these airport groups represent some 99 various States. I would like to impress upon the committee the fact that the professional managers of airports are as concerned as any of us here, and we wish to cooperate in any way possible.

I would be happy, Mr. Chairman, to respond to any questions you may have at this time.

Mr. MINETA. Thank you very much, Mr. Reilly. Your statement will be made a part of the record.

Mr. Reilly, one of the suggestions that you make is that there be further background checks of persons who are employed by airport tenants as a means of improving security. I think this is something we need to look into, but wouldn't the routine background check be more likely to turn up the common criminal rather than the professional terrorist?

Mr. REILLY. Mr. Chairman, I believe we have a good, sound web strung around the air side of an airport now with good screening system for passengers and their carry-on baggage and the airside perimeter fencing as well as the required need for authorization of anyone entering that air side.

The problem, though, is that you have a number of different tenants who service airplanes all the way from providing food to providing laundry equipment.

The airport is requested to give these individuals access to the airport air side on the basis they work for an authorized employer who has need to be on the air side.

I feel that if, in fact, there was some type of FBI and local police check of prospective employees at U.S. airports, that the checks should be able to do a much better job of pinpointing that type of terrorist.

Hopefully, through ICAO standards we could get non-U.S. airports to do the same through Interpol or some agency that would have access, not only to the known criminal, but to the terrorist groups and people who are associated with them.

Mr. MINETA. All right. You also suggest an industry-wide educational effort to provide all airline, airport, tenant and user employees with better awareness and understanding of security. To what extent are airport employees trained in security now? Are there any Federal regulatory requirements for this training, and is it now time to improve upon our regulatory requirements relating to the training of airport employees?

Mr. REILLY. Mr. Chairman, without overburdening FAA or the employees operating at an airport, and hopefully without adding too much expense in undertaking such a program, I believe there certainly would be value in a basic course for everyone employed at an airport so that they would have a better idea as to how bombs might be positioned within an airport, the types of individuals who should not have access to various areas, et cetra.

Right now there is not a comprehensive program of that nature, and I would think that it would behoove everyone to have the FAA look at this and perhaps put forth a program that would educate the airport tenants, the concessionaires at an airport as well as their employees, and airline employees who normally don't have the need for the formal FAA education in this area.

I think we should bring everyone's heightened respect for this problem to the fore in this area.

Mr. MINETA. Would it be helpful to have some of ICAO's recommended practices moved into the category of standards which would then make them binding?

I wonder if you have any specific suggestions on this point.

Mr. REILLY. Mr. Chairman, all too often ICAO is a great debating society. They can move some very important issues from recommended practices to standards, but that still does not require the 150-member States of ICAO to specifically enforce those standards.

As you have heard, States can either file differences, or perhaps do nothing, or even endorse them but, in fact, do nothing.

I don't see ICAO as the final arbiter or action agency in the area of security. I think they can certainly help but we are going to need more enforcement that can be taken on a moment's notice.

Mr. MINETA. What is AOCI's position on whether there should be a boycott of air service to foreign airports that fail to remedy identified security deficiencies?

Would the economic pressures generated by boycotts and travel advisories be effective? Is there a fear of reciprocal action? What would be the situation?

Mr. REILLY. My own personal view is that action does have to be taken. If that is what is needed, it should be done.

As you will note from the joint statement attached to my formal statement to this committee, airport management around the world certainly endorses strong action, and if a particular airport does not take the action that is necessary, I am sure the industry would support boycotts.

I would say to you, though, that I don't necessarily think it is the airport itself that does not want to go along with the ICAO rules and requirements outside the United States.

All too often the State governments either, one, don't want to put up money into financing the requirements and/or the personnel staffing and training.

I think it has to be on a State-by-State basis and State-to-State basis to try to get the enforcement we need.

Mr. MINETA. Can you give me a rough idea of what the proportion of persons working at an airport are actually employed by the airport? In other words, what proportion of the people working at an airport are the direct responsibility of the airport?

Mr. REILLY. Mr. Chairman, that is going to vary tremendously.

For example, you have some airports here in the United States that may only have two or three employees, at a smaller hub or nonhub airport. Everyone else working at the airport would be an airline employee or food provider or independent tenants and contractors. The other extreme are major airports where you could have as many as 500 to 1,000 airport employees, but then you would have perhaps 20,000 or 30,000 other employees hired by airlines and other users and tenants working at the airport.

The number will vary enormously and once you get outside the United States the variations increase exponentially because there you have a number of airports that do the ground handling sevices for the airlines. There you may not have as many airline employees but more airport employees.

Mr. MINETA. Thank you.

Mr. Boehlert.

Mr. BOEHLERT. Thank you, Mr. Chairman.

Just one question, Mr. Reilly.

Would you favor trying to make the whole airport terminal facilities secure moving the screening devices outside instead of as we do now, just making the boarding areas secure?

Mr. REILLY. Mr. Boehlert, I hope we never have to come to that. I do not support it. It would just throw havoc into any type of on-time operations of the aircraft.

What you would be asking for is to require everyone to get out of their vehicle whether it is a bus or a car or taxi, at the front entrance road to the airport to go through screening at that point including the baggage coming in with them, you would have to do the baggage out there.

It would be a horrendous proposition.

Mr. BOEHLERT. Thank you.

Mr. MINETA. Mr. Anderson.

Mr. ANDERSON. Thank you, Mr. Chairman.

Mr. Reilly, a recent edition of Newsweek had an interesting article on how a terror-proof international airport might be built. I would like to have your reaction to each of the following suggestions put forth in the article on how we might better deter possible terrorist activity in the future.

First, armed guards would inspect all arriving vehicles. You just answered that one.

Passengers would deposit luggage at the check-in counter and receive computerized boarding passes and matching tags would be attached to the bags. Only ticketed passengers would be allowed to proceed to an upper level where they would pass through metal detectors and be frisked for incindiaries or weapons.

All hand-carried baggage would be checked for explosive devices while armed guards looked on.

At the gate, computers would check passports against FBI records and match boarding passes with luggage waiting to be loaded onto the plane.

Luggage would only be placed in the cargo hold and only if matching boarding passes have been processed at the gate.

Checked luggage would be taken by conveyor belt to an inspection building where it would be x rayed and sniffed mechanically. Robots would immediately shunt aside any suspicious luggage to be inspected. Remaining baggage would continue along the carousel. It would be loaded onto a driverless trailer which would carry it to the proper plane.

Specially trained personnel would sweep the aircraft for hidden explosives and weapons.

All cargo, food and other aircraft supplies would be checked for explosives in a mechanized inspection building.

Armed guards would patrol the airfield and floodlights and surveillance cameras would be installed on the field.

And finally, all passengers on incoming flights would be bused to an arrival building where they would undergo the same security checks as departing passengers.

All baggage bound for connecting flights would be rechecked in the mechanized inspection building.

This, as I have said was Newsweek's suggestion to deal with the problem. What is your reaction?

Mr. REILLY. Mr. Chairman, I have not read that article. I think I am rather pleased I have not read it because of my reaction to it.

But what you have just enumerated is probably an extra 5-hour trip for you from National Airport to California.

Mr. ANDERSON. I fly nonstop out of Dulles.

Mr. REILLY [continuing]. Dulles.

You have probably also quadrupled the price of your ticket. I should suspect you would give up the idea of ever going home for weekends to see your constituents or particularly on one-night requirements.

There are a few items in the list that you enumerated that do serve merit. I think that the other items are exactly what they say. You will close down the industry by time delays that I feel most people would not consider warranted.

There is no way in this world you will ever create a totally foolproof system, including implementing everything that you just mentioned. There will always be a way that someone will get around the system no matter how complicated and perverse it is.

If you really would like me to, if you want to go through them one by one, I would be happy to respond. There are a couple about the closed-circuit TV's, some of the sniffing concepts, not necessarily dog sniffing, but there are some of these that could be implemented.

Concepts, though, of taking all baggage from all passengers, I really think you would start closing down the system and start diverting people from enjoying air travel. There has to be a better way to approach this and I think going back to some of the concepts of state-to-state confrontations on this issue, boycotts where it hurts countries economically if they don't come up to reasonable standards without the overkill that you just mentioned, are the better approaches.

Mr. ANDERSON. That was Newsweek's suggestion. I wanted to get your reaction.

As you know, the most sophisticated technology depends on airport personnel. Do you think that they should be placed with a more extensive background clearance and frequent security checks?

Mr. REILLY. Mr. Chairman, we would agree with this. I think this was part of my comment before that there should be better law enforcement checks, particularly at an FBI or Interpole level, where you get into not just the common criminal but the terrorist type. I think that everyone in the industry would be willing to go along with that providing we can control the costs and time consumption on it.

Mr. ANDERSON. Studies also show that the guards operating x-ray scanners lose effectiveness after only 20 minutes because of boredom and fatigue. Have you looked into this problem?

Mr. REILLY. Those screening stations are not under the control of the airport operator. They are under the control of the airlines, generally by contract. This has been mentioned many times in the past and I think that they have tried to address this by rotating the people on the machines with those loading the machines.

I think steps have been taken to try to address that honestly, Mr. Anderson, and that now the situation is not as bad as it was originally. It is the same thing as when we originally had positioned the airport armed security officer right at the screening point in uniform. He was a sitting duck for anyone who came along.

I think we made great improvements in the entire system including being able to rotate that police officer either with or without uniform but to have them moving about and not positioned in one spot.

Mr. ANDERSON. Currently it takes 2 hours to load 350 passengers and about 1,000 pieces of luggage on an international flight. It has been estimated that because of the increased x-ray and security requirements in the future, passengers would have to arrive up to 6 hours before flight time.

Do you foresee this happening?

Mr. REILLY. It certainly is possible and it is perhaps even almost up to that point on some airlines. El Al has a very extensive system that does take longer than we are experiencing here in the United States. I think, though, that what we have been talking about is learning to work a little harder and a little smarter.

I think that the R&D we need for better bomb detection systems that can work faster, that are more sophisticated, are the real answers. Obviously people are not going to be happy with 6-hour waits in airport terminals. It behooves the industry to try to develop the types of new, high tech equipment that will be needed for the next 10 or 15 years, and we have to make this one of our first, highest priorities.

Mr. ANDERSON. It has been reported that x-ray machines currently in use at U.S. airports can occasionally be fooled. Apparently, leadlined bags sold to protect film can shield weapons from detection. Metal foil can sometimes be used to distort the shape of an image.

Is this true?

Mr. REILLY. Mr. Anderson, I really don't know the answer to that question. I think the FAA would be the best source.

Mr. ANDERSON. I am told that British Aerospace has developed a $20 million cargo surveillance system that uses a mass spectograph machine to analyze the air inside shipping containers and sounds an alarm if it finds anything suspicious. I am told they are sensitive enough to detect an unopened bottle of whiskey.

Has the Federal Government looked into installing such a device at U.S. airports?

Mr. REILLY. Mr. Anderson, I don't know if the Federal Government has. I have been in touch with the British regarding this. It is still in the shakedown phase and they are trying to determine its actual value and its actual accuracy.

I have not had a final report back from the British on that.

Mr. ANDERSON. Some suggestions have been made that machines be installed that would measure cargo to air pressuure changes, a precaution against bombs that use air pressure fuses. Do you think these kind of machines should be mandatory at all airports?

Mr. REILLY. Again that is an airline prerogative and it is the airlines doing it. I don't know that much about it and I believe the airlines and perhaps the next witness would be the better source for an answer.

Mr. ANDERSON. Have you had a chance to examine the many effective security precautions put in place by Israel's state airline, El Al, the so-called flying fortress?

Mr. REILLY. I have read about them. I have seen reports on them. They certainly seem to be effective. It is a higher level of indepth penetration of the passenger and we may eventually have to get to that point, hopefully we won't. But it certainly does seem to provide a higher level of security. There is no doubt about it.

Again, it is a question do the passengers want to expend those extra hours and the expense of it, and we will have to make those determinations.

Mr. ANDERSON. These are only a few of the many questions that individuals have asked me and I assume they are all prospective air travelers.

Mr. REILLY. Absolutely.

Mr. ANDERSON. Don, I knew if I asked you, you would have all the answers, so thank you.

Thank you, Mr. Chairman.

Mr. MINETA. Mr. Reilly, thank you very much for your testimony here today.

Let me ask if Mr. Boehlert has any further questions?

Mr. BOEHLERT. No, Mr. Chairman.

Mr. MINETA. Thank you very much, Mr. Reilly.

[Mr. Reilly's prepared statement follows:]

AIRPORT OPERATORS COUNCIL INTERNATIONAL

Testimony of the

AIRPORT OPERATORS COUNCIL INTERNATIONAL

on

OVERSIGHT OF AIRPORT AND AIRLINE
SECURITY PROGRAMS

Before the Subcommittee on Aviation

Committee on Public Works and Transportation

U.S. House of Representatives

July 11, 1985
Washington, D.C.

International Headquarters: 1700 K Street, Northwest, Washington, D.C. 20006 Phone: (202) 296-3270 Cable: AOCIHQ

Mr. Chairman and Members of the Aviation Subcommittee:

I am J. Donald Reilly, Executive Director/Secretary General of the Airport Operators Council International. I am accompanied by Leo Duggan, Vice President, Technical Affairs of AOCI.

AOCI is the association of governmental bodies that own and operate the principal airline-served airports in the United States and throughout the world. Our members enplane over 90% of all U.S. enplaned passengers and 75% of the world's air passengers through 800 airports worldwide. Mr. Chairman, we appreciate the opportunity of this hearing to explain what we believe is the proper course of action under these most trying circumstances.

AOCI strongly condemns any and all acts of agression against the civil aviation community, whether perpetrated in the air during the transport of civilian passengers or on the ground at civil airports.

FAA emergency direction issued in late 1972 required expansion of then-existing airline and airport security programs to include 100% passenger screening and law enforcement support of that

activity. Through the cooperative efforts of government and industry, that initiative has resulted in an anti-hijacking program widely recognized as one of the world's best. However, in light of recent terrorist activities, it is very important to re-examine the overall aviation security program to determine if there are additional or more effective approaches that we should implement to make air travel even safer than it is today.

At the same time, AOCI cautions against hasty adoption of untested measures which may prove to be a financial burden on the private and public sector and be of little value in deterring further acts of criminal violence.

AOCI believes that the current set of regulations, the U.S. FAR Parts 107 and 108 and the International Civil Aviation Organization (ICAO) Annex 17 serve the flying public well under normal circumstances. We recognize, however, that regulations should keep pace with the changing realities of society. Recent events such as the TWA hijacking, the bombing at the Frankfurt Airport Terminal, the baggage explosion at the Narita Airport and the Air India catastrophe - - perhaps involving an in-flight bomb explosion - - lead us inexorably to the conclusion that actions should be taken to address the new wave of criminal and international terrorism. AOCI urges that all airports and airlines conform promptly and <u>totally</u> to their responsibilities under the ICAO conventions and resolutions related to the suppression of unlawful acts against the safety of civil aviation.

As you are aware, it is the aircarriers' responsibility for pre-boarding passenger screening. This screening system has been the cornerstone of the U.S. and international civil aviation program, and was designed to detect the carriage of firearms, explosives and incendiary devices. The airport operator is responsible for providing the back-up police protection during periods of passenger screenings; and, in general, during airport operating hours. Between 1973 and 1983, the successful detection rate was 98.9%. The security of runways, taxiways, and aircraft parking aprons on the airport, also known as the "airside", are the responsibility of the airport operator who observes stringent FAA regulations which require, among other things: access limited only to authorized, identifiable personnel; a means of controlling which vehicles and individuals are admitted onto the airside; and providing security fencing around the perimeter of the airport.

While we do not have all of the immediate answers to the complex problem of terrorist acts, we do have several recommendations which we believe would bolster the overall aviation security program.

1) We believe it would be beneficial to examine the way airline and other airport tenant employees are given clearance to airport restricted areas. At present, the airport operator issues an airside restricted area clearance at the request of the individual airport tenant. Investigation into the employees'

background varies with different employers. As a means of strengthening the clearance procedures, we suggest that an FBI computer security check and a local law enforcement records check be performed on all prospective airport tenant employees in the U.S. We encourage ICAO to include a similar requirement in its regulations, relying on the services of Interpol to perform the security checks. The adoption of these measures would bring us much closer to insuring that only trustworthy employees are granted access to security-sensitive airport restricted areas and aircraft.

2) Careful consideration should be given to the design and placement of all receptacles within the airport terminal. Most airports have relocated baggage lockers from public areas to locations behind screening points to prevent explosive devices from being placed in them. Other types of receptacles can be moved to very conspicuous locations, making it difficult for a terrorist to surreptitiously plant an explosive device. In addition to these precautions, careful consideration should be given to the design of more appropriate receptacles to foil attempts of terrorism.

3) The adoption of an industry-wide educational effort to provide all airline, airport, tenant, and user employees a better understanding of the high level of awareness necessary to maintain a secure environment would be a good step in the right direction. With the guidance and expertise of FAA, an educational program can be developed which will provide a continuing, updated knowledge of such things as: challenging anyone on the airside who doesn't look as though he belongs; reporting any suspicious activity in or about

the terminal or airside to their superiors or law enforcement officers, as appropriate; and a better familiarization with the nature of explosive devices, and their placement. These and other educational methods would greatly assist in employee understanding of their role in the overall aviation security program. Additionally, we believe the amount of training which flight crews receive in preventing or coping with a hijacking should be re-evaluated to determine the effectiveness of current emergency procedures.

4) Authority should rest with a special ICAO committee comprised of State and industry representatives to investigate and make determinations concerning adherence to the airport and airline security regulations in effect under the applicable ICAO annexes, in cooperation with the individual State governments. Upon finding a deficiency, the member State in question should be responsible for immediately rectifying the shortcoming. In the event that the airport or airline does not correct the identified weakness, ICAO would then make public notification of the condition and warn the traveling public against using the subject airline or airport. Also, in the event of a security incident taking place, the special ICAO committee should make a full investigation immediately to determine the cause and offer recommendations for corrective measures.

5) Research and development of new technology to aid in the design and manufacture of sophisticated bomb detection equipment

should be put high on our list of security priorities. The currently available equipment appears inadequate to effectively examine all baggage, mail and cargo in a manner which will allow the airlines to continue the type of operating schedule which the public demands. The objective of this initiative is the eventual capability of 100% screening for explosives when deemed appropriate for specified high-risk flights.

6) Although we do not have enough background information to make an effective evaluation of the U.S. airmarshal program, if it is expanded it should be used on select high-risk flights and should be funded only from the already accumulated surplus in the Airport and Airways Improvement Trust Fund.

In conclusion, Mr. Chairman, we want you to know that the airport operators who comprise AOCI are constantly concerned with their facilities' security and are willing to do what is necessary to ensure the public's safety in the face of the types of terrorist activity we have recently seen. We trust that the suggestions we have made will be of assistance. We give you our assurance that we will work with FAA, DOT and industry to bring solutions to the problems which confront us.

Thank you. We would be pleased to respond to any questions you may have.

AIRPORT OPERATORS COUNCIL INTERNATIONAL

AOCI SUPPLEMENTARY COMMENTS

ON ITEMS
SPECIFIED BY THE
AVIATION SUBCOMMITTEE

July 11, 1985

International Headquarters: 1700 K Street, Northwest, Washington, D.C. 20006 Phone: (202) 296-3270 Cable: AOCIHQ

1. It is the responsibility of the air carrier under FAR Part 108 to provide passenger and carry-on baggage screening. This is usually accomplished by contracting with a security company to provide the people necessary to staff the security checkpoints. Carry-on baggage is X-rayed and may be subject to a hand search. Passengers must pass through a metal detection device which screens handguns or other metal weapons.

Checked baggage, the security of commercial aircraft in flight and cargo screening are the responsibilities of the air carrier under FAR Part 108.

Part 107.13 of the FARs specifies the airport operator's responsibility to control access to the air operations area (AOA), preventing the entry of unauthorized persons and ground vehicles, control the movement of persons and ground vehicles within the air operations area including requirements for identification, and to promptly detect and take action to neutralize any penetration into the AOA by an unauthorized person.

2. U.S. airports and the aviation industry have been re-examing their security procedures to determine if they match the current need for security.

Although the detection rate for carry-on weapons was 98.9% over the period of 1973-1983, there is still room for improvement. In its comments to the Senate Aviation Subcommittee on June 27th of

this year, AOCI called for tighter clearance procedures for issuing authorization to airport, suppliers and airline employees to use the AOA. Additionally, AOCI urges the adoption of an industry-wide educational effort to provide all airline, airport, tenant and user employees a better grasp of the rudiments of aviation security and each person's role.

3. These three items are all outside of the airport operator responsibility, but AOCI strongly supports action which will increase the overall security of the traveling public without (1) placing an unwarranted financial burden on the private or public sector in comparison to the increased level of security, and (2) contributing to unreasonable delays affecting passenger facilitation.

4. AOCI has urged all non-U.S. airports to conform promptly and totally to their responsibilities under the ICAO recommended practices, standards and resolutions related to the suppression of unlawful acts against the safety of civil aviation. Attached is a copy of the joint airport statement sent to the United Nations and ICAO.

5. Research and development of new technology to aid in the design and manufacture of sophisticated bomb detection equipment should be high on our list of security priorities. The currently available equipment is inadequate to effectively examine all baggage, mail and cargo in an expeditions manner. The objective

of this initiative is the eventual implementation of 100% screening when deemed appropriate for certain high-risk flights.

6. (For reply by U.S. government representatives)

7. ICAO, through Annex 17, urges all of its member states to comply with the security program it has developed. AOCI has urged ICAO to assume the responsibility of investigating and making determinations concerning adherence to the applicable airport and airline security regulations. Upon finding a deficiency, the member state in question would be immediately responsible for rectifying the shortcoming. In the event that an airport or airline does not correct the identified weakness within a short, specified period of time, ICAO should then make public notification of the condition and warn the traveling public against using the subject airline or airport. Additionally, a full investigation to determine the cause of any security incident should be made along with recommendations for corrective measures.

8. The aviation security standards in place for U.S. airports and those recommended by ICAO on non-U.S. airports are very similar in scope and nature, and serve civil aviation security well. The degree of implementation by the various member states is the overriding concern of the aviation industry.

Joint Statement by the

Airport Operators Council International (AOCI)
Western European Airport Association (WEAA)
International Civil Airport Association (ICAA)

Air travellers worldwide are entitled to the highest level of safety which requires permanent vigilance and the development and implementation of safeguarding action by the international community. AACC strongly condemns recent acts of terrorism involving unlawful seizure and destruction of aircraft and attacks against airport facilities, causing the loss of life or abduction of passengers, crew members and ground personnel.

AACC strongly urges the United Nations, ICAO and their member States to take decisive action to eradicate such criminal acts. States are responsible for ensuring the implementation of adequate security measures at airports pursant to the standards and recommended practices of ICAO. AACC endorses ICAO resolutions on aviation security and will continue to cooperate to the maximum extent possible with ICAO, IATA and other international organizations in this vital area. The AACC constituent associations are AOCI, ICAA and WEAA. The AACC constituent associations' membership stands at over 390 airports, airport authorities and national airport associations in 99 States.

July 1, 1985

Mr. MINETA. At this time I would call on Mr. James E. Landry, senior vice president and general counsel, Air Transport Association. Mr. Landry, we have your statement and it will be made a part of the record. You may go ahead and proceed in your own fashion.

TESTIMONY OF JAMES E. LANDRY, SENIOR VICE PRESIDENT AND GENERAL COUNSEL, AIR TRANSPORT ASSOCIATION

Mr. LANDRY. Thank you, Mr. Chairman. I would like to, if I could, highlight a couple points in my statement.

We have been particularly pleased to have this opportunity to discuss with the subcommittee the regrettable fact that there are serious flaws in the international community's enforcement of treaties related to crimes against aviation. We hope that these hearings and other congressional interest will help the executive branch in its efforts to remedy this situation.

While we are taking all prudent and practical measures to protect our passengers, shippers and personnel, in the final analysis these crimes—Mr. Chairman, these are not just crimes against the United States and Canada and against India, these are literally crimes against mankind. The only answer is international cooperation to terminate these crimes.

We note that the foundation is in place now. There is a trilogy of treaties in place which unfortunately don't have the teeth, and the will of the governments behind them to enforce them. If they were fully enforced, though there wouldn't be any sanctuary on the face of the Earth for people who hijack or sabotage aircraft.

There was an abortive attempt in Rome, as my statement points out, in 1973 to put together a sanctions convention. Unfortunately, because of some incidents that took place just before, that particular diplomatic conference dissolved in a lot of angry polemics and broken visions of the delegations to that conference.

This country and six other major nations in the world put together the Bonn Declaration in 1978 in which it was said that if any nation on the face of the Earth should give safe haven to a hijacker, that those nations assembled at Bonn in 1978, the economic powers of the world, would call for a cessation of air service to that sanctuary or safe haven Nation.

Unfortunately, nothing has been done with that, but I would hope that something comes of what the State Department witness said this morning, that there is going to be a further try late this month to enhance that Bonn Declaration, because we need the will of governments to implement international understandings of this sort.

And to put teeth in the standards and recommended practices that we know ICAO will enhance, in this effort that Minister Stohr described a few moments ago—to put teeth in those and have those standards enforced around the world.

I would like to believe that these things can be done. I think that Mr. Stohr was undoubtedly right in saying that perhaps ICAO is not the arena to put together that treaty that we talked about, but the Bonn Declaration is there to be built upon, and we hope it will be built upon.

We also mention in our statement, as has been brought up here even in this afternoon's public hearing, we feel the time-tested process of preclearing airline passengers at a variety of major hubs in Canada and Bermuda and the Bahamas ought to be expanded.

I would like to clarify one point in the record, the airlines pay for the construction, operations and maintenance of those preclearance airports. We pay that for all of Customs' facilities, and we also pay the cost differential between the cost of having Customs and Immigration officers here and having them up in Canada or wherever it may be. In 33 years of operation from ports such as Toronto, our third leading gateway to the United States, there has never been a precleared aircraft that has been hijacked.

I think the time is overdue to expand that system.

Mr. MINETA. Could you go ahead and describe in some detail that whole preclearance process, your involvement in the support of preclearance, how you treat it in terms of cost?

Mr. LANDRY. Yes, Mr. Chairman.

It was first instituted in 1952, followed shortly thereafter by statements of great hope and belief that it would be expanded by the President of the Council of ICAO and the then Director General of IATA, Dr. Warner of ICAO, an American, and Mr. Hildred, Sir William Hildred of IATA at the time.

It was asked that it be spread worldwide. The United States has through a bilateral agreement put it in place in major hubs up in Canada, and through another agreement in Bermuda and another one in the Bahamas.

It really predated deregulation in the establishment of the efficiency of the hub and spoke system.

You take—put your Customs and Immigration officers up in a place like Toronto and they clear the passengers as they trickle in at their own time of arrival at an airport, and they go through Customs and Immigration and Public Health and plant and animal quarantine processes, and they are effectively in the United States when they have completed that process.

They then fan out to all the spokes of perhaps 20 airports here in the United States where flights from Toronto first land, and on downstream to further points inland after they reach the gateway point in the United States.

But they do not have—the passengers do not have to be cleared again once they have gone through preclearance. As I said, nobody gets through that process—I certainly wouldn't walk up to go through Customs—with guns or grenades or anything else and try to get into this country.

It is done there at the point of origin, it keeps out illegal aliens, it keeps out diseases, it keeps out the Mediterranean fruitfly, it keeps out drugs. It is a very effective mechanism and I say to this committee, it is an extremely hopeful possibility in the field of security.

There has not been a hijacked precleared flight.

Mr. BOEHLERT. What is the cost to the airlines of the preclearance. Is this all paid for by the Government?

Mr. LANDRY. As I said, we pay for Customs' facilities—the construction, operation and maintenance of the facilities. We pay for any overtime involved for Customs and Immigration officers here

in this country or at preclearance airports abroad, and we pay that cost differential.

I don't have, Mr. Boehlert, the figure for what we pay in the cost differential for their service in Canada as opposed to here.

I can say that Immigration has found after fairly exhaustive studies that this saves them money because you put your officer up at the hub instead of at 20 spokes.

Mr. BOEHLERT. May I continue, Mr. Chairman?

Mr. MINETA. Sure.

Mr. BOEHLERT. What is the reluctance of the administration do you feel to expand this program? It has an outstanding track record of 33 years now, a thousand batting average. What is the reluctance? They don't have people overseas or what? Speculate if you would.

Mr. LANDRY. Immigration has in the last 6 months to a year urged its expansion. I don't want to put words in the Customs Service's mouth. I believe they have been a little more reluctant, I think that is a fair statement.

There could be partly the budget process, even though we compensate for the cost differential. All of this flows through the unified budget. That is important.

Mr. BOEHLERT. Doesn't it really save money, in Toronto you have one centralized operation, rather than 20 separate operations within the United States?

Mr. LANDRY. We very strongly believe that, Mr. Beholert, and the Immigration Service very strongly believes that. I guess I would ask you to ask the Customs Service whether they feel it saves or wastes money.

I spent a—I guess much like the chairman, I spent a few years in Army counterintelligence during the Korean War. At least in my personal perception there is always a possibility, anyhow, of a notches-in-the-rifle syndrome that sometimes occurs. That is, you like to catch the drug smuggler rather than have the Royal Canadian Mounted Police catch them. But that is just a personal observation.

Mr. BOEHLERT. Thank you.

Mr. LANDRY. That does happen with intelligence organizations. I know because I was a member of one at one time.

Mr. MINETA. Ok, thank you very much, Mr. Landry.

I wonder, do you have more of your statement you wish to complete?

Mr. LANDRY. Well, as we urge throughout this statement, Mr. Chairman, we do feel there is an absolute necessity for getting behind further multinational international cooperation in this area. It is sometimes frustrating, exasperating, but we cannot do it alone. If we tried to put in a sanction against an airport unilaterally and it falls into a secondary boycott situation, that secondary boycott nation turns around and takes retaliatory action against our country. You have to have international cooperation in this area.

I really think that civilized society has reached the point in time after the events, particularly of the last few weeks, where we are fed up with hearing that one man's terrorist is another man's freedom fighter.

I don't think sitting in an airport or airplanes innocent people are going to put up with these heinous crimes any more, and I think we have to put strength behind getting governments to act together to put an end to it.

Thank you.

Mr. MINETA. Thank you very much, Mr. Landry.

Can you describe the nature and amount of security training that airlines typically provide their flight deck personnel and their cabin crews at the present time?

Mr. LANDRY. It varies from carrier to carrier. They do have, as has been pointed out in the earlier session this morning, as part of their standard security programs—approved and really pretty much negotiated and designed with the FAA in a cooperative effort, they do have training requirements. I believe that one of the major carriers that I spoke to yesterday indicated that their flight crew received about 3.5 hours of security training.

Mr. MINETA. Do you envision any problems with this new special Federal Aviation Regulation coming out on training, talking about 8 hours?

Mr. LANDRY. I believe the specifics of what would be—how it would be accomplished is still being considered, Mr. Chairman. I believe that whatever realistic and effective training enhancement can be agreed upon and will be agreed upon will be accomplished. I think the carriers will do it.

Mr. MINETA. All right. Is that 8-hour figure that I have quoted, is that in place now or is that just contemplated?

Mr. LANDRY. The training program requirements are part of what is still, I believe—perhaps within the next 24 hours or so—to come out in an emergency amendment of the standard security programs. But they are still discussing what is needed. What is really obviously necessary is the consultation that is going on, as to where we need the training and how can it be accomplished.

I think that the good minds of men will agree about that.

Mr. MINETA. We all recognize responsibility for security goes far beyond just the usual police and law enforcement personnel. The responsibility also falls on airline ticketing people, baggage handlers, ramp workers. What is the nature and type of training that these employees typically receive?

Mr. LANDRY. We give the people who come in contact with our passengers specific education with respect to various profiles that have been found to be appropriate for using to screen out the would-be hijackers—particularly the would-be hijackers.

They implement those, and I think as the record demonstrates, it has been a pretty effective approach, along with the x ray and other devices that are used at airports. Hopefully, as you pointed out with the previous witness, Mr. Chairman, we will some day soon have a high technology dog come along.

Mr. MINETA. Can you provide us your thoughts on the concept of a designated security coordinator for a flight which is another proposal the FAA is presently considering?

Mr. LANDRY. We believe that effective security, good security here should take place on the ground and that there will be a security coordinator undoubtedly on the ground where needed.

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That good security takes place before the would-be hijacker gets on that aircraft, before the would-be saboteur puts his device aboard the aircraft. Obviously in flight, you are already effectively using a security coordinator, as Captain Ashwood testified in another hearing—he is called the pilot in command.

Mr. MINETA. Is there some problem with a designated in-flight security coordinator?

Mr. LANDRY. I believe that there is a recognition that ultimately the pilot in command has that responsibility. And I believe what is being talked about, Mr. Chairman, in the prospective regulation, is a security coordinator for the flight and that I believe is somebody on the ground—the station manager or whoever it is, his delegated people, to make sure that all things are done on the ground properly, that nothing takes place in the catering process, or the fueling process or in the maintenance process that could allow devices or weapons to be placed aboard.

That combined with the screening should do the job.

Mr. MINETA. But they are not envisioning somebody to be an in-flight security coordinator?

Mr. LANDRY. I believe they are envisioning, Mr. Chairman, that someobdy has that in-flight responsibility for coordination of security and that it would allow each airline to have a certain amount of flexibility as to who that might be.

It could have very well been the pilot in command or should they choose, somebody else aboard the aircraft.

Mr. MINETA. How much added travel time do you believe passengers would be willing to accept in the name of safety and security? Do your airlines have any comments to offer on this matter in light of their experience, particularly those which are international carriers?

Mr. LANDRY. Well, we think, Mr. Chairman, that, again in the name of the best security, that the efforts have to be focused on high risk flights and perhaps high risk airports when properly defined. When you do that and localize it, then the passengers involved in taking those flights are quite willing to go through the extra security precautions.

We don't think you need the same level of security, frankly, at Billings, MT that you need at Athens, Greece. But you do need a security awareness and it can be done at both places.

Mr. MINETA. I understand the airlines are reticent about the use of sky marshals or air marshals. Can you briefly outline what those concerns are about the sky marshal program?

Mr. LANDRY. Well, we concur with our pilots on that.

First, we think holding out the possibility of some people riding shotgun on every flight would be holding out a false impression to our passengers. It is not the ultimate answer to this problem at all.

On highly selected flights, we think it can serve as a deterrent. But, by and large, and as a general rule, we do not like to see guns taken on board the aircraft.

There are a bunch of—other than the possibility of piercing the skin, or having a gun battle at 30,000 feet, you do have highly sophisticated avionic equipment up there that we are very concerned about. We just don't like to see extra guns brought aboard.

They could be the first target for hijackers or terrorists trying to get at more guns and more weapons in those circumstances. We think, in highly selected situations, they can be a deterrent.

Mr. MINETA. What about stun guns?

Mr. LANDRY. I think that research is still going on, Mr. Chairman, and I don't think anybody is yet totally convinced that we have the answer there. But Mr. Vincent indicated, I think, and I know this is true, that is being researched—it is being considered now, that and other types of devices.

Mr. MINETA. Some have proposed putting restrictions on the number of carry-on bags as a means to lessen the likelihood of getting weapons on board aircraft. Do you think such restrictions would be of benefit to the security situation?

Mr. LANDRY. Well, I think there is unfortunately getting to be some interplay between the security aspects of carry-on bags and the safety aspects or convenience aspects and so forth.

We would point out that the 1 million carry-on bags that are taken on board our 15,000 flights every day are going through screening devices, going through x rays and so forth, and our track record has been very good. That the weapons have been intercepted—some 2,800 guns per year have been intercepted, and we have had a very good track record in preventing hijacks from U.S. airports.

I think that the current regulations, if enforced, do all that need be done at this point in time for the safety of the passengers and crew aboard an aircraft.

Mr. MINETA. It looks like the Government is moving toward increased screening of checked baggage.

Do the airlines support these measures?

Mr. LANDRY. We think, again, to come back to something I said a moment ago, that things can be done, if you focus on the specific problems, define the problems, to have more screening.

Physical matchup of passengers with their baggage on high-risk flights is something we have done in the past and do today. If we have a definition of where the problem exists, it can be done in the future as well.

You can't do it wholesale for every flight. There simply is not enough room in the airports today—enough room or enough time to get our passengers out.

But with more intelligence information, we can define where the flights are and do that job, and otherwise use the X-ray equipment and so forth.

Mr. MINETA. There seems to be a common perception that security people at passenger security checkpoints are not as alert or qualified as one would like.

What is the airline view of that?

Mr. LANDRY. We think the track record has been good.

It has been mentioned that it has been a very tedious job. It is one that some people would find extremely boring, and therefore lose some concentration.

It is one that is constantly subject to checks and rechecks by the airlines and the FAA. If the job is not being done properly, and weapons are getting through, the FAA is very quick to fine the airlines for omissions or commissions.

Again, the track record is quite good.

Mr. MINETA. Thank you.

Mr. Boehlert.

Mr. BOEHLERT. I just want to thank you, Mr. Landry, for your excellent testimony, very thoughtful, and you have been very helpful throughout the day. I appreciate it.

Mr. LANDRY. Thank you, Mr. Boehlert.

Mr. MINETA. Mr. Anderson?

Mr. ANDERSON. No questions, Mr. Chairman.

Mr. MINETA. Let me ask you about preclearance again, if I may. We have it with Canada, the Bahamas——

Mr. LANDRY. And Bermuda.

Mr. MINETA [continuing]. And Bermuda. Why have we not pursued this more?

Mr. LANDRY. We have.

Mr. MINETA. With other countries?

Mr. LANDRY. We have. In the last year, the Immigration Service has begun to do the same thing.

Mr. MINETA. Has begun to do what?

Mr. LANDRY. Pursue it with foreign governments. And there has been some communication with the executive branch, within the executive branch, that it would be well to have everybody get together and come up with one coordinated position for expansion of this.

Mr. MINETA. But there has been resistance to that in the past?

Mr. LANDRY. Yes, there has been some.

Mr. MINETA. But you are saying that resistance is declining? Has that resistance disappeared?

Mr. LANDRY. No, not as yet.

Mr. MINETA. Where has the resistance come from?

Mr. LANDRY. Historically, the resistance or reluctance, whatever the right word might be, would come from the Customs Service.

Mr. MINETA. When you say we, you are referring to the ATA as an organization?

Mr. LANDRY. U.S. airlines, the world's airlines, for that matter.

Mr. MINETA. Going back to Mr. Boehlert's question, it is not necessarily a question of cost, since you are picking up at least a portion of that cost.

Mr. LANDRY. We are picking up the cost differential. Beyond that, it is somewhat in the eyes of the beholder.

Mr. MINETA. You say cost differential; what is that? Is it because of overtime, or because of a Sunday inspection?

Mr. LANDRY. We meet the cost differential, housing cost allowance or whatever for living up in Canada instead of here—if there is one.

With the difference between the United States and Canadian dollar now, it might be a privilege to live up there.

Mr. MINETA. So, if a U.S. person would have to live in Frankfurt, you would be picking up that additional cost?

Mr. LANDRY. That has been a policy up to this time. We have paid the cost differential.

Mr. MINETA. Well, Mr. Landry, thank you very much for your testimony and, as Mr. Boehlert said, you have been very helpful in terms of educating us on the issues involved.

Thank you very much.

Mr. LANDRY. Thank you very much.

Mr. MINETA. That concludes the witnesses we have today.

I would like to thank the members of the subcommittee for their attention, and the subcommittee stands adjourned.

[Whereupon, at 4:45 p.m., the subcommittee adjourned, subject to the call of the Chair.]

[Mr. Landry's prepared statement follows:]

Statement of James E. Landry
Senior Vice President and General Counsel
The Air Transport Association of America
Before the Subcommittee on Aviation
Committee on Public Works and Transportation
U.S. House of Representatives
On Airport and Airline Security
July 11, 1985

My name is James E. Landry. I am Senior Vice President and General Counsel of the Air Transport Association of America (ATA), the trade and service organization of the U.S. scheduled airlines. I am accompanied by Richard F. Lally, ATA's Director of Security.

Our airline members account for about 90% of the total revenue passenger miles for all United States scheduled air carriers domestically and internationally, and seventeen of our members provide regularly scheduled passenger and cargo air service between the United States and more than 70 countries. On behalf of these critically important instruments of U.S. commerce, we commend this subcommittee for providing this timely opportunity for the public and private sectors to present views on airport and airline security in the context of the recent despicable acts of terrorism directed against air transportation.

Among other matters, we are pleased to have this opportunity to discuss with the subcommittee the regrettable fact that there are serious flaws in the international community's enforcement of treaties related to crimes against aviation. We hope that these hearings and other Congressional

interest will help the Executive Branch in its efforts to remedy this situation.

The technological and productivity success of today's commercial aircraft in transporting hundreds of millions of people and millions of tons of freight and mail throughout the world have given the product we sell -- air transportation -- a visibility undreamed of when the industry began. Because civil air transportation has been the innocent victim of vicious acts of terrorism, it must be accorded the highest level of governmental concern and protection -- on a world-wide, cooperative basis. While we are taking all prudent and practical measures to protect our passengers, shippers and personnel, in the final analysis these crimes against mankind must be brought to an end through effective and affirmative actions, and enforcement by the community of nations. The foundation is in place for that essential cooperative effort; we urge our government and all other responsible governments to build upon it swiftly and resolutely.

First, let us focus upon the foundation -- a trilogy of treaties drafted between 1963 and 1971, reflecting the collective determination of civilized nations that crimes aboard aircraft, hijacking and sabotage would not be tolerated. The Tokyo ("Crimes Aboard Aircraft") Convention of 1963 has now been ratified by 120 nations, The Hague ("Anti-hijacking") Convention of 1970 by 125, and the Montreal

("Sabotage") Convention by 92. In sum, these three nearly universal treaties represent a reaffirmation, by most of the 155 sovereign parties to the Convention on International Civil Aviation ("Chicago Convention") of 1944, of that cornerstone treaty's underlying theme, as set forth in the Preamble:

> ". . . [T]he future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and
>
> ". . . [I]t is desirable to avoid friction and to promote that cooperation between nations and peoples upon which the peace of the world depends;. . ."

On their face, the Tokyo, Hague and Montreal conventions would appear to have the cumulative effect of eliminating safe havens for aircraft hijackers and saboteurs. But, as early as 1973, it was recognized that there still remained some sanctuaries for the perpetrators of crimes against air commerce. After some preliminary meetings, the nations of the world assembled in Rome that year in an effort to draw up an additional treaty providing agreed sanctions against such safe haven nations. Regrettably, the time was not then ripe for such a step, and the diplomatic conference dissolved in angry polemics and a frustrated vision.

A number of the world's major aviation powers, however, were not willing to accept this rejection, and we were subsequently gratified to see the anti-hijacking declaration

announced by the seven world powers gathered at the economic summit meeting in Bonn in July, 1978. That declaration contemplates the cessation of commercial air service to and from any country that harbors airline hijackers. In the months following the Bonn Declaration, at least two dozen other nations made public or private statements of support for that approach. Yet, in the seven years since that dramatic announcement, we have seen little or no implementation of that joint resolve.

We in the airline industry sense that civilized society will no longer countenance a surrender of the world's governments to the traditional cliche that "one man's terrorist is another man's freedom fighter." We believe that the time is ripe for a renewed effort by governments to put the necessary teeth in the three treaties outlawing these terrible crimes, by establishing joint, appropriate sanctions for nations that give comfort to the perpetrators. It can be accomplished by an expansion of the Bonn Declaration -- and a willingness to implement it, or by the drafting and bringing into force of a new treaty similar to the aborted 1973 effort in Rome.

At the same time, there must be swift and resolute action to put some teeth in the standards and recommended practices set forth in Annex 17, the Security Annex to the Chicago Convention. If those standards are enhanced and universally followed, we will see the emphasis placed when and where it

should be -- on the ground, before the plane takes off, before the would-be hijacker or terrorist gets through the screening point, and before the would-be saboteur's devices are placed aboard the aircraft.

To that same end, ATA member airlines have been engaged in frequent consultations with the Department of Transportation, the Federal Aviation Administration and other appropriate authorities, and we have instituted additional security measures. Steps have been taken to intensify passenger, baggage and cargo screening, and to ensure an ever-heightening security awareness on the part of all our ground and flight personnel.

As an essential complementary measure, we applaud the new priority that the government is assigning to research and development in the detection of weapons and explosives that might be smuggled aboard aircraft. We have urged this for many years. And we would suggest that, consistent with our belief that the greatest emphasis must be placed on actions on the ground, before the criminal act, a useful role can be played here by the newly revitalized corps of federal air marshals or other well-trained governmental aviation security experts.

While we recognize that a selective use of highly trained air marshals on appropriate flights can be an added deterrent, we concur with those, including our pilots, who are convinced that a major expansion of the program to ensure that air marshals routinely ride shotgun on our flights would be

unwise. It would be wrong to convey a perception that air marshals provide the ultimate answer to this problem. Moreover, the introduction of their firearms could provide an added element of danger to an aircraft in flight.

On the other hand, these or other highly trained federal aviation security experts can make a substantial contribution to the prevention and deterrence of these crimes on the ground by inspecting the security check-points and reviewing the preventive procedures at major airports here and abroad. They can pinpoint the weaknesses, the areas in which the level of security falls short of ICAO or other internationally accepted standards, and give appropriate notice to the authorities to assure prompt corrective action.

Follow-up sanctions for those airports and airlines which nonetheless refuse to take necessary responsive actions could be provided for in a strengthened Annex 17 or companion undertakings. Here, too, the responsibility for such surveys and recommendations should not be borne by U.S. experts alone; similar teams should be volunteered by other nations and international organizations.

In advocating such surveys and remedial actions, we do not, however, lose sight of the fact that sound security also takes into account the dynamics of change that mark the airline industry. These dynamics affect security just as they do the economics of the industry and the application of technology.

In short, security entails change and we must be prepared to be flexible.

Security programs must be kept under constant scrutiny, and at each airport and each terminal. The effectiveness of a given location's screening program can change quickly, particularly at those airports abroad where there is not the type of detailed security program which the FAA oversees at U.S. airports. For that reason, the travel advisory approach on security deficient airports may simply not keep up with changes. But, to reiterate, we favor regular inspections at international airports, the identification of discovered security deficiencies and the assurance of prompt corrective action, together with an appropriate enforcement mechanism.

Before leaving this point, I should mention that the airline industry and some federal agencies have long advocated the extension of preclearance to additional locations abroad. Under this system, now in place at major hub airports in Canada, Bermuda and the Bahamas, passengers and their baggage are inspected for Customs, Immigration and Agriculture quarantine purposes prior to departure from a foreign country, rather than upon arrival in the United States. In that manner, drugs and other contraband, illegal aliens, and dangerous plant and animal diseases are intercepted at their source, far from U.S. soil, rather than being transported to this country. Moreover, preclearance allows travelers to "trickle" in at the

foreign airports and proceed at their own pace through the Customs, Immigration and Agriculture quarantine formalities, with ample time for as thorough inspection as required. This is in contrast to inspection upon arrival in the United States when planeloads of persons disembark at the Customs and Immigration areas with travelers from countries all over the world. The advantages of this system for security as well as facilitation purposes are self-evident -- in 33 years of preclearance operations, not a single precleared flight has ever been hijacked. Its extension to other key airports such as London, Paris, Frankfurt, Rome, Mexico City, and other appropriate points where non-stop flights to the U.S. originate should be aggressively and immediately pursued because of the major contribution it can make to aviation security.

In conclusion, we urge that Congressional actions recognize the need for a flexible response to the changing nature and level of security threats. In this regard, we believe that H.R. 2827 provides a good framework for dealing with the variety of needs and circumstances that may arise. And, as an essential ingredient for combatting terrorism, we further urge that Congress continue its recognition that the federal government must always emphasize the importance of collecting, evaluating and disseminating intelligence information on a timely basis.

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We believe that valuable lessons have been taught by our common experience in combatting hijackings in this country since the initial onslaught in the early 70s. The airline security officials of ATA member carriers have dedicated their efforts over the last fifteen years to achieving a high level of security for U.S. airline operations world-wide. Most importantly, they have not been alone in striving toward that goal; they have worked side-by-side with equally dedicated security experts in our government, with the strong encouragement of the Congress, in what has been described as one of the finest examples of government/industry cooperation in many years.

This common task, unfortunately, appears destined to be an unending one in today's society. The horrifying events of recent weeks have raised the stakes even higher. But a world-wide governmental effort to build on the foundations that are already in place can and will ensure that terrorists will never paralyze the free movement of passengers and goods. Surely, the community of nations owes prompt and meaningful action, as the drafters of the Chicago Convention put it 40 years ago, to promote the cooperation between nations and peoples upon which the peace of the world depends. We urge this Subcommittee to take every possible action to ensure that such a world-wide governmental effort is launched and

successfully concluded. The airline industry stands ready to lend all possible assistance to that effort.

Thank you. Mr. Lally and I will be pleased to answer any questions you may have for us.

ADDITIONS TO THE RECORD

STATEMENT OF

THOMAS ASHWOOD, FIRST VICE PRESIDENT

AIR LINE PILOTS ASSOCIATION

BEFORE THE

SUBCOMMITTEE ON AVIATION

HOUSE PUBLIC WORKS AND TRANSPORTATION COMMITTEE

JULY 11, 1985

Mr. Chairman, I am Captain Tom Ashwood, First Vice President of the Air Line Pilots Association (ALPA), which represents the interests of 34,000 professional pilots.

I am also Chairman of the International Flight Security Committees of ALPA and the International Federation of Air Line Pilots Association (IFALPA).

I am grateful for the opportunity to appear before this Subcommittee. I am even more grateful that you are examining ways to improve airport and airline security programs.

Recent events show that airlines and their passengers are one of the most attractive targets for terrorists.

The reasons for this attraction include the following:

- Airlines are highly identifiable with their country. Most are government-owned, and even privately-owned airlines such as Pan American and TWA are widely considered to represent their countries.

- The place of attack can be selected from a variety of airports considering such factors as security arrangements, closeness to the destination and political stance of the government.

- Modern airliners cost many millions of dollars. Where else can something so valuable be taken so easily?

- The aircraft are relatively fragile and can be easily disabled or

destroyed with a few dollars worth of easily obtainable materials.

- There could be as many as 400 passengers of different nationalities on a single flight. They make great hostages.

- The hijacked aircraft provides the terrorists with a fast, reliable means of escape to almost any part of the world.

- One of the goals of terrorists is publicity. Aircraft hijackings and airport terminal attacks are proven world-wide attention-getters.

The Air Line Pilots Association has been deeply involved in the subject of aircraft hijacking, sabotage and other crimes against civil aviation since the late 60s. Much of the early and intermediate work and progress was directed toward the prevention of such acts by mentally aberrant people, fugitives and "home-sick" Cubans. Despite occasional incidents of organized terrorist attacks, little long-lasting attention was paid to sophisticated, state-sponsored, para-military operations against civil aviation. With the growth in numbers and severity of such attacks and the recognized escalation of terrorism as a tool of foreign policy, it has become necessary to address this matter and find defenses.

It should be noted that the current defenses which have been arranged by the security division of the FAA have, within its very limited resources, done a remarkably effective and efficient job. The current level of funding is however totally inadequate if that division is to provide high quality and effective counter-measures and defenses to terrorist attacks on civil aviation.

The Air Line Pilots Association believes the following steps should be taken to enhance the FAA's efforts:

First and foremost, more and R and D is required on the production of a reliable explosive detection device capable of accurately detecting the presence of explosives in baggage and on individuals. This must be done at a rapid rate. Technology is available to make this feasible within a relatively

short period of time.

Secondly, more personnel are needed to ensure the establishment and maintenance of adequate pre-board screening systems at U.S. airports and airports overseas which are served by U.S. carriers or by foreign carriers flying into the United States.

Thirdly, to assist in the overall defense against hijacking, additional training must be given to cockpit crews, cabin crews and airport personnel. They must be trained to be part of the whole fabric of aviation's security for they can play a major role in both the prevention and handling of hijackings.

These expansions and advances cost money but in the overall scene of civil aviation's costs and values, the estimated additional $20 million are a small price for the return it will bring. It is important that if such appropriations are made then the money should be placed under the direct control of the FAA's security division and not that of the DOT or the FAA where it could be lost in the hundreds of millions handled by those divisions of government.

While all this attention is being paid to hijacking we must not forget sabotage. We are trapped in the paradox of our success if thwarting hijackings will result in more sabotage. In brief, if we stop them from taking our aircraft, they may try to blow them up.

This emphasizes the importance of explosive detection devices. Another area of defense rests in the design and structure of aircraft cargo holds. Damage from explosion is primarily caused by the blast. Shrapnel damage can be limited by draping the cargo hold walls with "bomb-blanket" material, which is readily available commercially. The blast situation can be countered by installing "blow-out" panels in areas which would vent to the outside atmosphere. New aircraft could have this designed and built in and it is entirely feasible for existing aircraft to have retrofit for both the bomb-

blanket lining and blow-out panels.

Mr. Chairman, I would also like to emphasis the need to guard ourselves against overreaction to recent events such as TWA 847 and resist the urge to respond in a political or "popular" fashion, i.e. tough, machismo hip shooting. The threat is deadly and serious and our response should match it and do so in a measured fashion becoming a sophisticated nation.

The Air Line Pilots Association views proposals to introduce armed sky marshalls on flights an example of the aforementioned reaction. When placed up against para-military forces, outnumbered and out-gunned, a sky marshall is either a threat to the safety of the flight or, if he or she reacts sensibly, undoubtedly will be the first victim to be thrown dead from an aircraft to underline the terrorist demands. A modest expansion of the current classified air marshall program is viewed favorably by ALPA.

In conclusion, the Air Line Pilots Association is grateful that Congress is coming to the aid of its crewmembers, the flying public and the air transport system but we ask that throughout your deliberations and the actions that follow, that great care is taken to keep the restrictions to easy passage and freedom of movement to an absolute minimum. As Americans we value our free society and if terrorists force us to close it too much, then they will have achieved their objectives and they will have won.

International Air Transport Association

Washington Office | Montreal/Geneva

July 24, 1985

The Honorable
Norman Y. Mineta
Chairman, Subcommittee on Aviation
U.S. House of Representatives
Washington D.C.

Dear Mr. Chairman:

The International Air Transport Association (IATA) was unable to provide a witness at your hearings on July 18, 1985, on airport security. However, we have a strong and direct interest in the matter of airport security. Accordingly, I am submitting herewith a statement on the subject prepared by Rodney Wallis, IATA's Director for Facilitation and Security. I would appreciate your entering this statement in the record of your proceedings.

I am also enclosing for your background a presentation made by Mr. Wallis at the Fourth International Aviation Security Conference held in Philadelphia in April this year. It provides some additional information on IATA's involvement in airport and airline security.

If we can be of any further assistance, please let me know.

Sincerely yours,

Michael H. Styles

Michael H. Styles
Regional Director
United States

1730 K Street, N.W., Suite 900 Washington, D.C. 20006 (202) 822-3929

STATEMENT OF
Rodney Wallis
Director, Facilitation & Security
International Air Transport Association

in connection with
Airport Security

The International Air Transport Association (IATA) is grateful for the opportunity to provide the Aviation Subcommittee of the House Public Works and Transportation Committee with this statement on airport security in the aftermath of several recent unlawful interferences with civil aviation, beginning with the June 14 hijacking of TWA Flight 847.

IATA is a cooperative, democratic association of 138 of the world's scheduled airlines. Our members differ in size, in the state of development of their flag countries, in the structure of their ownership, and in the politics of their government. However, they share a common goal: to provide safe, efficient, and convenient air transportation to travelers and shippers around the world.

It is our objective to provide safe transportation that compels us to submit this statement. Following the TWA hijacking, IATA immediately began reassessing what additional security measures and precautions we could undertake to deter further hijackings or sabotage.

Chief among our undertakings will be an expansion of our airport inspection program, assuming that governments will cooperate with us, and greater coordination with the manufacturers of high-technology security equipment.

IATA already maintains a full-time team of experts to study airport security around the globe, and my statement later will address those efforts more fully. In conjunction with that job, IATA staff has cooperated with the International Civil Aviation Organization (ICAO) in its establishment of international airport security standards, worked with foreign governments to ensure that these standards are adopted, and conducted airline management courses in airport security, the most recent of which was held in Bath, England, on June 10-21.

Members of Congress and the Administration also were quick to respond to the threat of international terrorism by introducing a variety of legislative proposals. At last count, 14 bills had been introduced, not to mention several concurrent and joint resolutions. In addition, the Department of Transportation implemented several measures in an attempt to tighten security at U.S. airports and aboard U.S. carriers.

We wholeheartedly endorse several proposals which have surfaced in recent weeks. Other suggestions, we believe, could be implemented though their value may be minimal. Still other proposals, although well-intentioned, we find to be impractical or to pose serious problems.

This statement first will answer the subcommittee's inquiries, which address many of the legislative proposals introduced since June 18, and then will respond to other provisions outlined in Congressional bills.

What are strengths and weaknesses of additional security measures which have been discussed recently, such as expanded use of sky marshals, X-rays, or physical searches of all checked baggage?

We support increased use of law enforcement personnel and other security personnel to ensure compliance with security procedures on the ground and in boarding the aircraft. However, IATA is opposed to the introduction of any weapon in the cockpit, in the cabin, or in any portion of a commercial aircraft accessible to passengers in flight, no matter who carries it. We certainly do not want a gun battle at 35,000 feet threatening the lives of passengers and crew and endangering the operational capability of the aircraft. There is debate among carriers in respect of the use or armed sky marshals, but the consensus is one of opposition.

As for security control of checked baggage, while physical searches may be necessary on an ad hoc basis where there is an immediate threat, we do not believe that such searches are necessary on a network-wide basis. The use of state-of-the-art X-ray equipment as a tool in the examination process, in any event, is preferable to the physical examination of every piece of checked baggage.

What security methods currently are used at foreign airports for passengers and carry-on baggage, checked baggage, cargo, preventing access by unauthorized persons to aircraft, and security while the aircraft is in flight?

Security measures in these areas vary country to country. However, most advanced countries have incorporated the ICAO Annex 17 minimum security standards into their national security programs. In these cases, the procedures are very similar to those used in the United States.

Do recent incidents (TWA and Air India) suggest a need for changes in security programs? Have any changes been made? Are additional changes contemplated?

The recent incidents must be thoroughly investigated before any specific conclusions are drawn. We must all be careful neither to jump to conclusion nor to enact knee-jerk changes which have not been carefully studied. In general, current security procedures are appropriate at most airports. This is not to say that improvements cannot or will not be made. Security procedures constantly are under review -- even when hijackings and acts of sabotage have not occurred. At the moment, additional consideration is being given to linking passengers more directly with their baggage and to monitoring more closely small parcel packages. Airlines, in conjunction with governments, always have had the capability of raising security standards with minimum delay when information is received or the perceived risk is considered higher than normal.

It is important for me to stress the words "in conjunction with governments" because our hands are tied if governments refuse to cooperate with us in our security efforts. A serious security problem for airlines involves those select few governments which require airlines to use government-sponsored agents for servicing their aircraft. These handling monopolies can bar airlines from providing their own catering, cleaning their own aircraft and, in some cases, even maintaining their own aircraft. If we have no control over who services the aircraft, we are at great risk.

What are the foreseeable improvements in technology which may lead to better security programs?

We believe the development of vapor detectors and improved X-ray screening devices will assist in detecting the carriage of weapons and/or explosive devices.

What is IATA's and ICAO's role in assessing security at foreign airports and trying to get improvements?

As I mentioned earlier, IATA maintains an aviation security program which includes monitoring of airport security around the world. Three airports have been reviewed in the past one to two months. IATA survey teams -- usually consisting of about six people -- are put together from among airline security experts, coordinated by a member of the IATA Secretariat. With the cooperation of the government concerned, they run a fine-toothed comb over the entire airport, from the handling of cargo, passengers and

baggage to the procedures used on the ramp. The team identifies the airport's weaknesses and perhaps even some strengths. The team then formally submits its recommendations to the authorities for implementation. Subsequent monitoring is initiated to ensure they are implemented.

What differences exist between the security standards imposed at U.S. airports and those applicable to foreign airports through Annex 17 of ICAO? To what extent does the level of airport security vary between ICAO member countries?

There is little or no difference between most major U.S. airports and most major international gateways. In respect of Tel Aviv and Narita, their security, of course, is much higher than anything to be found in the U.S. or elsewhere. Both countries find themselves in a unique situation demanding security standards which are far above normal. There is no perceived need for such higher standards in most other parts of the western world. Certainly, standards vary from country to country and range from poor to good when compared with ICAO's minimum standard.

Other Proposals:

Firstly, IATA is opposed to the publication of lists of security-deficient airports. We realize the merits of such publication, but on balance conclude that the benefits

of informing the traveling public of insecure airports are outweighed by the risks in providing terrorists with any information they may not know.

Secondly, IATA equally is opposed to requirements that airlines provide notice with the ticket of an insecure airport. To perform that task fairly and accurately would be impossible. Because the list of "weak" airports presumably would change regularly, the proposal poses serious difficulties in providing up-to-date information to passengers, the 20,000-plus travel agents in the U.S., and airline offices.

Most passengers purchase and receive their ticket in advance, frequently months before they intend to travel. If these travelers relied on the airport advisory attached to their ticket, they likely would have outdated information at the time they traveled. Furthermore, any country that would have corrected security problems at its airport would be penalized unfairly if a passenger with outdated information were to adjust his itinerary to avoid travel to that country.

If statutes nevertheless are enacted requiring the publication of insecure airports, an alternative way to provide such information would be for airlines to include in the already-required ticket advisory notice a statement that up-to-date information is available from their airline or travel agent regarding the security determination of their destination's airport.

Thirdly, IATA is hesitant to endorse proposals that would suspend service by foreign airlines whose governments have not suspended service between its territory and an airport where the U.S. has called for cessation of operations. We believe such secondary boycotts can be effective only by multilateral agreement, such as in the Bonn Agreement, and that unilateral actions by governments are more likely to cause disruption among friends than to aid solutions to terrorism.

Solutions:

Millions of dollars can be spent on the development of more sophisticated security equipment; specialists around the world can devise more elaborate screening procedures; and passengers and shippers can suffer through the most exhausting interruptions in order to travel safely. But terrorism will never be conquered until all world governments commit themselves to the safety of civil aviation.

Implementation of the three conventions -- Tokyo (1963), The Hague (1970) and Montreal (1971) -- would ensure that criminals responsible for acts of unlawful interference against civil aviation are adequately punished. Disregard by States which have signed and ratified these conventions constitutes a direct encouragement of additional incidents of the same nature. Yet to date, it is a matter of record that several States have failed to honor their international treaty obligations. The Bonn Agreement (developed by the

major industrial powers, including the U.S.) was intended to pressure States into meeting the terms of the anti-hijack conventions, but this has been invoked only once, against Afghanistan. Only States can ensure that there are no havens or sanctuaries for air pirates or saboteurs.

When States do this, air piracy can be defeated.

PERSPECTIVES ON AVIATION SECURITY

Presentation by Rodney Wallis to the
Fourth International Aviation Security Conference
April 15-17, 1985 - Philadelphia, USA

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The Oxford English Dictionary defines 'Perspective' as:

> A right proportion between
> all aspects of a subject.

With representatives on this panel drawn from governmental, multi-governmental and multi-national associations, it is clear that your organizers accept this definition.

Taking my invitation to speak within this context, I will, in the moments allocated to me, develop a broad brush scenario of international aviation security as I perceive it.

I will sketch in on my canvas the role of IATA, give an overview of the position and responsibilities of governments vis-à-vis the supression of air piracy - I do not necessarily see those positions and responsibilities as being compatible or practised - and give some consideration to terrorism - how it is perceived and its effect on civil aviation.

SECURITY ADVISORY COMMITTEE

Although we can go back to the formative years of commercial aviation to identify the first acts of air piracy, aviation security as we know it today has its origins in events of the late 60s and early 70s. This is depicted graphically in one of the illustrations included in John Marrett's ICAO presentation.

IATA's Security Advisory Committee was established in 1967 by the Director General who reconstituted an earlier security body with the specific task of formulating policy recommendations for the Executive Committee of IATA. The SAC role was to ensure co-ordinated programmes were established and implemented to maximize protection for airlines' customers, their personnel and facilities, including their aircraft.

This remit led to the introduction of the Industry's Intensified Aviation Security Programme, the IATA 8 Points - accepted worldwide as criteria for measuring security standards at international airports - and a number of AGM Resolutions endorsed by the Chief Executive Officers of the world's

international airlines. The most recent of these resolutions was adopted in October of last year and arose out of events linked to the Gulf War between Iran and Iraq.

The SAC comprises 24 members drawn from among the Chiefs or Directors of Security of international airlines. The Committee is supported by a Secretariat which I head. Part of the secretariat role is to represent the Industry with multi-governmental organizations such as Interpol, ICAO and ECAC, and with national and federal bodies such as the FAA, and to ensure that appropriate avenues of communication exist between us.

INTENSIFIED AVIATION SECURITY PROGRAMME

The Intensified Aviation Security Programme is, in effect, a consultancy service provided by IATA to civil aviation and airport authorities with the object of ensuring that standards of security at international airports are established and maintained at acceptable, cost-controlled levels. Some 40 airports in 29 countries have benefited from the programme. Survey teams comprise airline security experts who identify strengths and weaknesses in implementation of security procedures. Recommendations are developed, these forming part of the final presentation to the concerned authority. All such surveys result from formal invitations from civil aviation departments or airport authorities and are conducted at no cost to the government involved.

A major plus point of these survey teams is the international mix of the members. It overcomes the shortcomings inherent in single nationality advisory groups or consultancies - namely the potential to propose recommendations based upon the export of one country's experiences and the imposition of solutions developed in unparalleled environments.

In 1985 airports in Europe, South America, Africa and Asia will be surveyed under this programme.

IATA 8 POINTS

Most of you will be familiar with the IATA 8 Points. As I've already indicated, they are used to assess airport security programmes against the minimum criteria developed by the SAC. In brief they deal with:

Passenger & Baggage Screening
Communication
Law Enforcement

Access and Perimeter Control
Staff Identification
Protection of Baggage, Cargo & Mail
Protection of Aircraft
Public Observation Points

These 8 Points are also used as guidelines when airline security specialists sit on Airport Consultative Committees which meet to develop new airport projects or to re-design existing facilities. The SAC seeks to influence airport design in order to ensure maximum security safeguards are built into the planning stages which in turn leads to cost-effective security programmes.

COST EFFECTIVE SECURITY

It is worth remembering that cost benefit analysis has just as vital a role to play in our area of responsibility as in any other aspect of aviation management. In 1983 when I addressed the Annual Meeting of the Airports & Seaports Police Association in Vancouver, I reported that the last year international scheduled services collectively showed annual operating results in the black was 1979 - and even then interest payments turned that year's net results into a $350 million loss. For the intervening period - 1979/1983, these same services had accumulated losses of more than US$5 billion. We appear, happily, to have put the worst of the economic decline behind us, but the lessons of cost-effective management learned during that period will - must - remain with us. Our Industry needs effective security but we have to ensure that we get value for what we spend.

Mr. Micawber, if I may plagiarize Charles Dickens, raised the economic discomfort of an income set at 19/6d while expenditure was £1. Translated to the currency of this venue, that would be income $1.20, expendiure $1.30. In any currency the story is the same and it is no less true today than it was in Victorian England.

Security has to be provided efficiently and at a cost the Industry can afford.

TRAINING

To develop the level of implemented security standards further IATA has established a residential aviation security programme. Courses are run in conjunction with a specialist

aviation training establishment and sessions, which were introduced in 1984, are currently listed for the balance of 1985 and 1986. The courses are especially aimed at the airlines of developing nations, enabling them to obtain professional training at minimum cost. They are, however, equally suitable for staff of carriers from the developed world. The programme is co-ordinated through the SAC, several of whose members act as specialist lecturers.

STERILE LOUNGE CONCEPT

Another feature of the IATA work programme has been the promotion of the sterile lounge concept now widely used around the world. It is effective, cost justified, meets the facilitation and operational needs of the airlines by reducing delays and by minimizing queuing and congestion. It requires specific parameters to be met, such as the separation or control of incoming and outgoing passengers and definition of what we are wont to call 'dirty flights': that is, flights arriving from points of origin where standards of security may be questionable. But all this is both practicable and worthwhile. It calls for co-operation between airlines, the airport authority and police. It can be controlled and reviewed through the airport and/or national security committee.

THE INTERNATIONAL CONVENTIONS

I said earlier that the Secretariat provides a link with governmental organizations. Part of that role - and this is reflected in the IATA AGM Resolution on Aviation Security - is to secure ratification and implementation of the 3 conventions dealing with aviation security.

Tokyo - 1963
The Hague - 1970
Montreal - 1971

John Marrett touched on aspects of the international convention in his presentation. IATA's concern is with their implementation. It is a matter of record that some governments become signatories to conventions and international agreements without acting to ensure their implementation. This double standard represents an ever-present threat to international civil aviation. This situation is reflected in events which have taken place during the recent past in the Gulf where protagonist States - signatories to these international

treaties - have failed to meet their treaty obligations in respect of widely publicized and quite dramatic hijackings.

An alarming characteristic of these incidents has been the emergence of conflicting opinions among the States involved regarding the applicability of the Conventions. A state of war does exist but should this have relevance in respect of treaty obligations to the rest of the world. Surely we must hold to the view that the Conventions set forth the prevailing and overriding obligations of States in any situation. Disregard by States which have signed and ratified these Conventions constitutes direct encouragement of additional incidents of the same nature.

Ultimately air piracy can only be defeated if States act responsibly within the parameters of international agreements. Only States can ensure there are no havens, no sanctuaries for air pirates. Condemnation and action should not be affected by political motivation but 'politics' invariably are 'politics' and this adds to the burden of the airline security specialist and is another part of the overall picture to be sketched in on the international scenario.

POLITICAL RISK ANALYSIS

The effect of political decisions and the interaction between groups of differing political persuasions has given birth to a new specialization - that of political risk analysis. As unrest continues around the world, whether instigated by outside agencies or governments or through genuine uprisings of people who consider themselves oppressed, the effect can be expected to have repercussions among multi-national operations of which international commercial aviation, perhaps seen to represent regimes unfavourable to the protagonists, is a very newsworthy target. Political risk analysis is seen as a valid approach to assess risk in respect of both investment and operation. It should also identify another risk - that to human life.

Political risk analysis specialists are being hired by organizations such as the oil companies and banking enterprises - consultancies concentrating on this approach are being established and it may be the growth industry for the second half of the decade. Airline security executives working in the wider international scene already link the need for such analysis into their own assessment programmes. In the future, more even than today, the security specialist will have to be skilled in the area of risk assessment and risk management. It

is a natural link to cost-effective security.

Development of such skills could also provide airlines with another service to sell, namely a risk analysis programme for customers. I have already been approached by several journals as to whether the Industry could provide such a service to the public. One airline at least has begun to give earnest consideration to this.

TERRORISM

Before reverting to some specifics of aviation security requiring attention, I must touch on one other vital subject for our scenario. That is terrorism. First of all let us consider a definiton offered to the 1983 meeting of the SAC by Professor David Charters of New Brunswick's Centre for Conflict Studies. He defined terrorism as:

> 'A violent process of social change involving the pre-meditated use of criminal techniques by agents of a State or a clandestine political organization to achieve political ends.'

Terrorism becomes trans-national when the process involves the violation of national properties or attacks on foreigners or foreign property at home or abroad.

Clearly certain incidents of air piracy and sabotage fit into the framework of trans-national terrorism.

One problem terrorism poses to the international air transport industry is the perception which the world has of the subject. History tells us that the world allows this perception to change with the passage of time and according to the degree of success of the terrorist. In effect the victims of terrorist acts become rungs on a ladder to ultimate respectability.

Consider the Dawson's field and Cairo Airport incidents of 1970 - 4 jet aircraft destroyed. Consider the loss of life when two aircraft were destroyed in flight during the Rhodesian conflict. Ultimately the causes and those associated with the factions responsible for these incidents attained certain acceptabiliity. The prime figure of the Palestinian movement has received a standing ovation in the United Nations Assembly. The dissident leader whose followers claimed responsibility for the Viscount tragedies ran for the Presidency of his country.

And we are in Philadelphia!

What view I wonder did Whitehall have of those American colonists who rebelled against the Crown. Doubtless not the same as that held by US citizens today.

The fact is that history shows that terrorism, freedom fighting, call it what you will, has paid dividends. Unhappily for those of us in the air transport industry today, securing these dividends often means that civil aviation becomes rungs on the ladder I referred to previously.

POINTS FOR ATTENTION

But to close, let me revert to some specific factors needing the Industry's attention. I suggest they include:

1. The vulnerability of aircraft on the ramp;
2. Drug Trafficking;
3. Sabotage;
4. Threats posed by inadmissible passengers and deportees;
5. Improved Communication.

Doubtless several of these will be expanded upon during other sessions but in putting the final touches to my scenario let me highlight my thoughts briefly.

THE RAMP

The success of the passenger screening processes has been such that those contemplating acts of unlawful interference with civil aviation are now seeking to bypass this protective measure. Several of the recent hijack incidents have resulted from weapons being placed on the aircraft by those working on the ramp. There are a myriad of opportunities for this. Whilst ground handling monopolies are alien to those of you with your centre of operations in the USA, they are a fact of life to international operators. These monopolies can include such things as aircraft cleaning, catering, maintenance, etc. Monopolies are generally the result of government impositions and while these can have an adverse effect on the economic operation - and are opposed by IATA - they do add a factor to the security control necessary to ensure passenger safety. The SAC will be spending more of their time resolving this problem in the future.

DRUG TRAFFICKING

If we secure the aircraft on the ramp it is also a step in our fight to keep commercial quantities of illicit narcotics from being placed clandestinely on our aircraft. Frequently security drills can prove a defence against narcotics smuggling - and why not. In technique, where is the difference between placing cocaine in the hold or siting explosive devices.

In December of last year, IATA reached agreement with the US Customs Service in respect of procedures aimed at minimizing the carriage of illicit narcotics on commercial services. These 'Industry Guidelines' have been circulated among IATA member airlines serving the US and are expected to be used to form the basis of a worldwide convention developed within the Customs Co-operation Council - the international body linking the world's customs services.

SABOTAGE

Sabotage has to remain in the forefront of our thoughts. This type of activity has geneally been concentrated on airline city property rather than airport facilities. Maybe this too reflects on the achievements of those involved in airport security - achievements which make attacking at airports less likely to succeed than attacks on sales premises. With sales outlets and reservations offices much more widely spread, the ability to protect them is less easy and thus they appear to have become prime targets for the smaller terrorist or disenfranchised groups.

Aircraft sabotage poses a greater menace as the loss of the UTA DC8 in N'Djamena last year demonstrates. Use of sophisticated timing and other devices by terrorist or other criminals capable of evading discovery during screening processes will demand responsive action by aviation security specialists and those involved in high-tech detection device development. Similar challenges have been met in the past, we must work to ensure that successful counter-programmes are developed in the future.

INADMISSIBLE PASSENGERS

The inadmissible passenger problem is a rapidly increasing one. As many of you will know, this problem has been identified with criminal organizers providing a highly dubious service to persons wanting, often for purely economic reasons, to move from third world countries to the industrialized west.

To date the Industry's prime concern has been the cost involved in their detention and subsequent removal. In Canada, for example, the annual inadmissibility bill for airlines exceeds $4 million.

However, two hijackings in the past few weeks have been carried out by persons refused entry into a country and removed. If air piracy is seen by the deportee as an alternative to an unacceptable return to what he or she sees as a hostile State, the need for additional security would seem obvious.

Procedures used for the carriage of passengers refused entry and for deportees vary according to the nature of the inadmissibility and the cause for the deportation but this pre-supposes carriers always have such knowledge. There are many incidents where the airlines have had no such advice provided by immigration officials. It has been alleged that information is deliberately suppressed to ensure the passenger is accepted for carriage. This subject is being actively pursued elsewhere but it would seem to be another part of today's overall scene.

IMPROVED COMMUNICATION

Finally, communication. I touched on this just now in respect of inadmissible passengers and deportees. The availability of precise information is vital for the security manager to do his work effectively. There have been instances where information was not given - information which may have avoided acts of unlawful interference and which certainly could have led to faster introduction of safeguards both against air piracy and sabotage.

IATA has constantly stressed the need for a better flow of information among its member airlines and between the Industry and governmental bodies. The goal is to safeguard lives.

This flow of intelligence is improving among certain airlines and between certain government services. Where a high level of trust has been established information does flow. The IATA Secretariat and those who guide the Industry through the SAC are committed to increasing this trust. Free flow of information not only improves one's ability to assess risk but it also allows new ideas to circulate and avoids having people continually re-invent the wheel.

CONCLUSION

Ladies and Gentlemen - with security specialists listed to speak throughout this seminar I have deliberately left specifics of aviation security to them. I have used the remit given to me by your organizers to develop a perspective - 'a right proporption' - seen from my position within the International Air Transport Association. I have suggested that our whole subject is part of a wider political scene - a scene over which we have little control but where we must work to secure governmental acceptance of our goals.

Where we do have a say is in the specific programmes developed on an individual company basis, or at the airport level or on a national or international basis to ensure maximum safety is provided to our customers and our staff. In this respect I believe the record of airline security executives and of the IATA Security Advisory Committee together with those of most airport and civil aviation departments around the world is a most noteworthy one.

Thank you for your time.

RW/cm
10.4.85

RECOMMENDED MINIMUM SECURITY STANDARDS FOR IMPLEMENTATION AT INTERNATIONAL AIRPORTS

The following Eight Points are a declaration of the basic minimum security standards for international airports. Optimum cost-effective implementation of these standards will depend upon local circumstances. IATA is prepared to arrange for a security task force to visit and advise in the detailed application of these Eight Points.

States should ensure that:

1. A sterile area is established for the boarding of all flights. Passengers and their hand baggage are screened prior to entering this area. All other persons and items entering this sterile area must be authorized and subject to security control.

2. Direct and discreet communication systems link the passenger screening points and other access control points to an airport control centre capable and designated to respond quickly in cases of unlawful action.

3. Duly authorized law enforcement officers armed and equipped with mobile communications conduct patrols within airports and are readily available to assist in cases of suspected or actual unlawful interference with civil aviation.

4. Areas of restricted access are adequately enclosed, clearly marked with signs and access controls are established to prevent entry of unauthorized persons to the airside of the airport.

5. Positive airport identification is visibly worn by all persons authorized to be airside and this identification is checked at control points before entry to airside.

6. Physical barriers are installed separating public areas from all baggage, mail and freight after its acceptance for carriage.

7. Aircraft parking areas are adequately controlled, protected and well lighted.

8. All public observation view points overlooking the airside are adequately protected to safeguard security.

AVIATION SECURITY

WHEREAS the Members of IATA consider the safety and security of civil aviation a matter of overriding international concern;
WHEREAS the recent upsurge of incidents of unlawful interference indicates that international civil aviation remains vulnerable to such unlawful activity;
WHEREAS the Tokyo, Hague, and Montreal Conventions provide internationally agreed procedures for meeting the contingencies experienced during and following acts of unlawful interference, including procedures for prosecution of perpetrators, for allowing passengers and crew to continue their journey and for the restoration of aircraft and its contents to the person lawfully entitled to possession;
WHEREAS States have failed to fulfill their international obligations vis-à-vis the Hague, the Tokyo and the Montreal Conventions and acts of air piracy can only be successfully contained when all States ratify and fully implement the provisions of the Conventions

THE 40TH ANNUAL GENERAL MEETING

1. Calls upon Member Airlines to make every endeavour to secure their governments' ratification and/or implementation of the three international Conventions (Tokyo/The Hague/Montreal).
2. Requests Presidents and Chief Executive Officers of Member Airlines, upon the occurrence of incidents of unlawful interference and in the overriding interests of the safety and security of civil aviation, to use their best efforts to persuade concerned authorities, whether or not parties to the Conventions, to implement fully and promptly the widely-recognized international legal principles embodied therein.
3. Directs the Legal Committee of IATA to give continued high priority to an examination of the Conventions and other relevant instruments and, if appropriate, to recommend their strengthening and improvement.
4. Requests Presidents and Chief Executive Officers of Member Airlines to urge their respective governments to ensure that all necessary and reasonable security measures are implemented and maintained at airports, terminals, and other civil aviation installations.
5. Directs IATA to continue to use its influence, both in multilateral negotiations and in bilateral discussions, with States to support the activities of the Presidents and Chief Executives of Member Airlines to secure implementation of the Conventions.
6. During and/or after actual incidents of air piracy, urges IATA, through the Director General to intervene, as necessary, with individual States when such States fail to apply the conditions of the Conventions and where IATA involvement may result in a faster resolution of the situation.
7. Affirms its support for the IATA Intensified Aviation Security Programme as an important initiative to secure implementation of the recommended minimum security standards at international airports.
8. Affirms its support for the IATA Aviation Security Training Programme in conjunction with other training bodies as necessary to provide a sound basis for use by airlines to raise the levels of security expertise throughout the industry.